

Mehran Ali VS StateOrder...01
13.07.2023

Bail Petition submitted through counsel Mr. Javeed Iqbal Advocate. Be entered in the relevant register.

Notice be issued to the concerned SHO to produce the relevant record on 14.07.2023.

Sami Ullah
Sami Ullah
Judicial Magistrate-I/HQ,
Orakzai (at Baber Mela)

Order No.02
14.07.2023

APP for the state, complainant in person and Counsel for accused/petitioner is present. Record received. Arguments heard and record perused.

Accused/petitioner namely Mehran Ali S/O Shirkat Ali r/o Qoam Stori Khel, Tappa Und Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case F.I.R No.25 Dated: 10.07.2023 U/S 506/337 A (i)/48/149 PPC, Police Station Kuriz Boya, District Orakzai.

Perusal of record would reveal that offences with which accused/petitioner is charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C. There is no criminal history of accused/petitioner as per available record. Accused/petitioner has not confessed his guilt before the court. Moreover, Participation of accused/petitioner in the commission of the offence and the alleged aerial firing is to be determined during trial, therefore, case of accused/petitioner falls within the ambit of case of further inquiry. Moreover, the accused/petitioner is juvenile. Furthermore, the complainant in the instant case is the SHO concerned and resultantly it cannot be determined as to who among the charged accused was aggressors and who was aggressed upon. Accused/petitioner is no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioner behind the bar. (Continued...)

Sami Ullah
Sami Ullah
Civil Judge/JM-I
Orakzai at (Babar Mela)

Order No.02

Continued.

14.07.2023

Consequently, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 80,000/- (eighty thousand) with two reliable sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. The requisitioned record be sent back to the quarter concerned forthwith, while files of this court be consigned to record room after necessary completion and compilation.

Announced:

14.07.2023

Sami Ullah

Sami Ullah
Civil Judge/JM-I,
Orakzai (at Baber Mela).