

Order No. 03

04.11.2020

APP for the state present. Petitioner through counsel present.
complainant in person present.

Accused/petitioners Esar Gul s/o Gulzar Gul R/O Mishti, Darwi Khel, Shalzara, Lower Orakzai, seek his post arrest bail in case FIR No. 105, Dated: 27.09.2020 U/S 324/34 PPC registered at Police Station Kalaya, L/Orakzai.

Arguments heard and record perused.

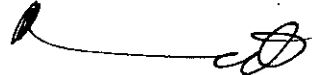
After hearing of arguments and perusal of the record I am of the opinion that the accused has not been directly charged rather he has been charged later on 06.10.2020, in a statement u/s 164 Cr.P.C before the MOD, after the delay of almost 10 days. There is no eye-witness of the occurrence. No recovery has been effected from the spot. No motive behind the occurrence is mentioned. There is nothing on record against the accused that he is a habitual offender. Thus, all these things make the case one of further inquiry.

Consequently, the bail petition in hand is allowed. Accused/petitioner is ordered to be released on bail subject to furnishing of bail bonds to the tune of Rs: 80,000/- with two local, reliable and resourceful sureties each in the like amount to the satisfaction of this court. Record be sent back forthwith to the concern police station.

File be consigned to record room after necessary completion.

Announced

04.11.2020


(Rehmat Ullah Wazir
Judicial Magistrate-I,
Orakzai (at Baber Mela)