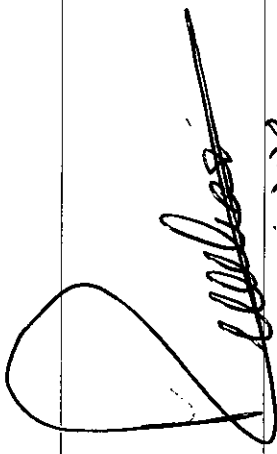


FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Or-----06	13.06.2023	<p>None present for the State. Accused/petitioners through their brothers present.</p> <p>The accused/petitioners namely (1) Aamir S/O Usman, (2) Iqrar Khan and (3) Aman Ullah both sons of Adalat Khan; R/O Qoum Feroz Khel, Tappa Qasim Khel, Tehsil Lower District Orakzai has applied for their post arrest bail in connection with case FIR No. 79, Dated: 23.08.2022 under sections 324/353/186/189/337 F(i)/148/149 PPC, registered in PS Kalaya District L/Orakzai.</p> <p>Learned counsel for accused/petitioners had already submitted written arguments in the instant bail petition while learned APP for the State has been transferred and no one yet has assumed the charge, in this regard already notice was issued to prosecution for provision of PP/APP, but no one appear on behalf of prosecution.</p> <p>Brief facts of the case are that the present accused/petitioners alongwith other sixty six co-accused are nominated by complainant for firing and throwing stones at complainant party and accordingly one Raees Khan SI and constable Irfan Ullah sustained injuries through stoning by all the accused.</p> <p>In given circumstances, this court is of the view that role of ineffective firing and throwing of stones has been attributed to all the accused and thus no specific role has been attributed to any of the accused including the present accused/petitioners. Furthermore, the record is also silent that who, amongst the 69 accused, injured in SI Raees Khan and constable Irfan Ullah. Record further transpire</p>



13-06-2023
SYED ABBAS BUKHARI
 Civil Judge/JC-II
 Tehsil Courts Kalaya

8

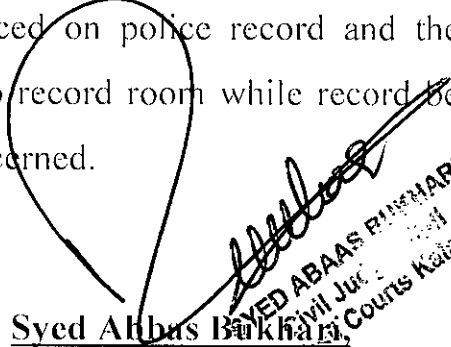
FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

that occurrence took place on 29.06.2022 while the medico legal report was prepared on 25.07.2022 i.e. injured Raees Khan was examined after about 28 days of the incident, which make the case of prosecution one of further inquiry. Furthermore, no recovery regarding the weapon of offence has been affected in the instant case from the present accused/petitioners. No confession has been made by the present accused/petitioners. Moreover, as for as abscontion of the accused is concerned, the record reveal that the same is of less then a year. Furthermore, two co-accused namely Yousaf Khan and Ashor Khan, with the same role, had already been granted bail by August Peshawar High Court, Peshawar and thus role of consistency cannot be ruled out. For the above reasons, the accused are entitled to the concession of bail at this stage, hence, application in hand is hereby **accepted** and they be released on bail, subject to furnishing of bail bonds to the tune of Rs. 100,000/- by the accused with two local and reliable sureties, each in the like amount to the satisfaction of this court.

Copy of this order be placed on police record and the instant File be consigned to record room while record be sent back to the quarter concerned.

Announced
13.06.2023


Syed Abbas Bukhari
Judicial Magistrate-II,
Tehsil Court Kalaya, Orakzai

SYED ABBAS BUKHARI
Civil Judge
Tehsil Courts Kalaya