

**Syed Halim etc Vs State**

**Or.....04**  
**27.01.2021**

APP for the state present. Petitioners through counsel present. the counsel for the complainant present and submitted wakalatnama.

The petitioners named Syed Halim S/O Abdul Halim, Muhammad Ashraf S/O Mastan Shah, Akbar Jan S/O Hassan Shah and Niaz Muhammad S/O Gul Muhammad have applied for their post arrest bail in connection with case FIR No. 05, Dated: 23.01.2020 U/S 420, 468 & 471 PPC registered in PS Ghiljo, U/Orakzai.

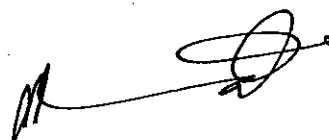
Arguments heard and file perused.

Though, accused are directly charged in the FIR but the offences U/S 420 & 471 PPC are bailable while the one under 468 PPC is non bailable but the same does not come within the prohibitory clause of section 497 Cr.P.C, in such like cases the grant of bail is a rule while its refusal is an exception but there exist no exceptional circumstances in the present case. Further the other co-accused are already on bail. In addition to, accused are first offenders and have got no criminal history at their credit.

For the above reasons, the accused are entitled to the concession of bail at this stage, hence, application in hand is accepted subject to furnishing of bail bonds to the tune of Rs. 100,000/- 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**  
**27.01.2021**

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