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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Ghani Badshah VS State

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
Order No 03	19.07.2023	<p>APP for the state present. Accused/petitioner through counsel present. Complainant is absent despite proper service. Record received.</p> <p>The petitioner namely Ghani Badshah s/o Noor Hassan has applied for their post arrest bail in connection with case FIR No. 10, Dated: 17.06.2023, U/S 337A(i)(iii)/F(i)(ii)/352/147/149 PPC, registered in PS: Ghiljo, U/Orakzai.</p> <p>Arguments heard and file perused.</p> <p>Though, accused is directly charged in the FIR, but the offences for which the accused are charged, do not come within the prohibitory clause of section 497 Cr.P.C. In such like cases the grant of bail is a rule while is refusal is an exception, but there exist no exceptional circumstances in the present case. In addition to, accused is first offenders and has got no criminal history at his credit. It is yet to be determined that whether the accused/petitioner is aggressive or was aggressed upon, which makes the instant case one of further inquiry.</p> <p>For the above reasons, the accused is 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. 90,000/- with two local and reliable sureties each in the like amount to the satisfaction of this court.</p> <p>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.</p> <p><u>Announced</u> 19.07.2023</p> <p><i>Bakht Zada</i> (Bakht Zada) SCJ/JM, Orakzai (at Baber Mela)</p>