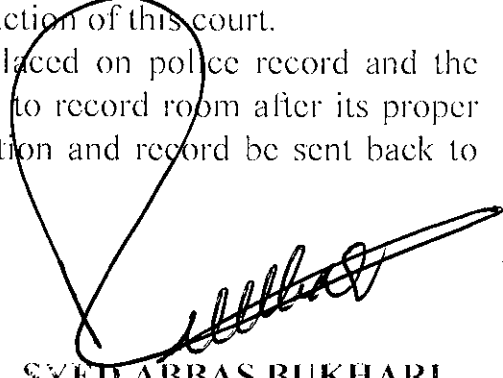


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FORM "A"  
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/C.I-II, KALAYA ORAKZAI  
Case Title: \_\_\_\_\_ Vs \_\_\_\_\_

pSerial No of order or proceedings 1	Date of Order Proceedings 2	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary 3
Order 03	27.07.2023	<p>Dy. PP for State present. Petitioners through brothers present. Complainant absent despite proper service. Record received. Petitioners namely <b>1. Muhammad Ayaz S/O Gul Khan and 2. Muhammad Shabir S/O Gulab Khan</b>; both residents of Qoum Ali Khel, Sher Khel, Alaf Khel, District Orakzai have applied for their post arrest bail in connection with case FIR No. 15, Dated: 24.07.2023 U/S 506/34 PPC, registered in PS Daborri, U/Orakzai.</p> <p>Learned counsel for accused/petitioners already submitted written arguments with instant bail petition while learned Dy. PP for the State advanced arguments. Perusal of the record and valuable assistance of counsels for the parties, this court is of the view that Section 506 PPC carries punishment in first part for imprisonment of two years while in second part it carries punishment of imprisonment for 07 years which does not fall within the prohibitory clause of section 497 Cr.P.C and in such like cases grant of bail is a rule while refusal is an exception. Furthermore, nothing has been recovered from the direct possession of the accused/petitioners. Local police also failed to comply with the mandatory provisions of section 103 Cr. PC, which make case of accused one of further inquiry.</p> <p>For the above reasons, the accused are entitled to the concession of bail at this stage, hence, application in hand is hereby <b>accepted</b> and accused be released on bail subject to submission of bail bonds to the tune of Rs. 80,000/- 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 after its proper completion and compilation and record be sent back to the quarter concerned.</p> <p><b>Announced:</b> 27.07.2023</p> <p style="text-align: right;"> <b>SYED ABBAS BUKHARI</b> Judicial Magistrate-II, Tehsil Courts, Kalaya, Orakzai</p>