

## Syed Ijaz Hussain Vs State

Order...03  
03.08.2023

App for the state, complainant in person and Counsel for accused/petitioners are present. Record already received. Arguments from the counsel for petitioners already heard while argument from the learned APP heard today and record perused.

Counsel for complainant submitted an application for withdrawal of his wakalatnama, which is accepted.

Accused/petitioners namely 1. Syed Ijaz Hussain S/o Syed Zameen Hussain, 2. Syed Ameer Jan S/O Mir Syed, 3. Hamid Hussain S/O Mir Syed 4. Syed Shah Gul Hussain S/O Ali Asghar and 5. Sajideen S/O Shahadat Hussain, all residents of Qoam Stori Khel, Tehsil Lower, District Orakzai are seeking their post arrest bail in case F.I.R No.21 Dated:18.06.2023 U/S 380,427,147 and 149 PPC, Police Station Kuriz Boya, District Orakzai.

Perusal of record would reveal that offences with which accused/petitioners are charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C. There is considerable delay in lodging the report and FIR. No recovery has been affected from accused/Petitioners. Moreover, no source of information of the offence committed by the accused/petitioners has been disclosed in the report and FIR, which make the present case one of further inquiry. Furthermore, accused/petitioners have not confessed their guilt before the court. Accused/petitioners are no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioners behind the bar.

Consequently, application in hand is **allowed**. Petitioners be released on bail subject to furnishing bail bonds in the sum of Rs. 120,000/- (One lac twenty thousand only) with two reliable sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. The requisitioned record be

(Continued...)


*Lamy*  
*Sayed Ullah*  
Civil Judge/JM-I  
Orakzai at (Bahar Mela)

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**Continued.**  
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sent back to the quarter concerned forthwith, while files of this court be consigned to record room after necessary completion and compilation.

**Announced:**  
**03.08.2023**

  
**Sami Ullah**  
Judicial Magistrate-I,  
Orakzai (at Baber Mela).