

Haji Adam Khel and others Vs State

Or.....02  
05.05.2021

APP for the state present. Petitioner through counsel present.  
Complainant in person present.

The petitioners named (1) Haji Adam Khel s/o Abdul Sattar, (2) Fateh Muhammad s/o Abdul Ghaffar, (3) Yar Muhammad s/o Haji Marwat, (4) Abdul Rahim s/o Abdul Sattar and (5) Taj Muhammad s/o Abdul Sattar have applied for their post arrest bail in connection with case FIR No. 47, Dated: 09.04.2021 U/S 337A(ii), 337F(i), 506, 148, 149 PPC registered in PS Kalaya, L/Orakzai.


Arguments heard and file perused.

Though, accused are directly charged in the FIR but the offences, for which 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 its refusal is an exception but there exist no exceptional circumstances in the present case. 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. 50,000/- 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  
05.05.2021

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