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**Court of Additional Sessions Judge, Orakzai at Baber Mela**

BA. 65/4 of 2023  
Itbar Khan 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	04.08.2023	<p>Mr. Sana Ullah Khan advocate represented accused/petitioner and Nisar Ahmed Khan APP for State are in attendance. Mr. Abid Ali Advocate submitted Wakalat Nama on behalf of complainant. Advancing arguments on behalf of both the parties completed; whereas, this is the disposal of captioned post arrest Bail Application, submitted by accused/petitioner Itbar Khan.</p> <p>2. Accused/petitioner Itbar Khan son of Arab Khan resident of Qaum Mishti, Tappa Darvi Khel, District Orakzai seeks his post arrest bail in case FIR No. 19 dated 19/06/2023 registered under section 452/354/427/504/34 of the Pakistan Penal Code, 1860 in Police Station Mishti Mela, Orakzai; wherein, petitioner along with others have been charged for offences enlisted in the head note of stated FIR. The petitioner moved the Court with application for post-arrest bail which is under consideration.</p> <p>3. Learned counsel for accused/petitioner and learned Assistant Public Prosecutor for State assisted by learned counsel for the complainant were heard at length and file gone through.</p> <p>4. This is tentative assessment of record available on file as deep appreciation of evidence is neither necessary nor warranted at this stage. It is daylight occurrence but no independent witnesses have been associated with the incident. Motive has been assigned for alleged commission of offence as land dispute but it is double edge weapon and may equally be attracted for false implication. All these facts render the case of petitioner as that of further inquiry. Moreover, the offences with which accused are charged are not attracting prohibitory clause of Section 497 of the Code of Criminal Procedure, 1898; where grant of bail is general</p>

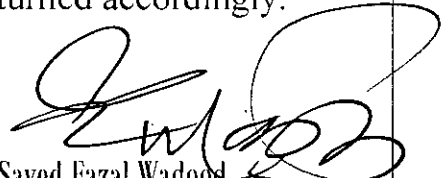
  
**SAYED FAZA HAIDOOD**  
District & Sessions Judge  
Orakzai at Mangu

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rule.

5. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees ~~120~~ thousand (Rs. 120,000/-); with two sureties; each in the like amount; to the satisfaction of this Court. File be consigned to District Record Room, Orakzai after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

6. Announced in open Court.

  
Sayed Fazal Wadood,  
AD&SJ, Orakzai at Baber Mela