

Case Title: Amsheed Khan VS State


Order...01

18.09.2023

Bail Petition submitted through counsel Mr. Khursheed Alam

Advocate. It be entered in the relevant register.

Notice be issued to the complainant/State to produce the relevant record on 20.09.2023.

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

Order...02

20.09.2023


DPP for the state present. Learned counsel for accused/petitioner present. Complainant in person. Record received. Arguments heard and record perused.

In respect of personal appearance of the complainant his signature is obtained on the margin of order sheet.

Accused/petitioner namely Amsheed Khan S/O Ziyarat Gul, R/O Qoam Mishti, Tappa Darwee Khel, District Orakzai seeking his post arrest bail in Case FIR No.35 dated: 11.09.2023 U/S 11-A CNSA, Police Station Kuriz Boya, Lower Orakzai.

Perusal of record would reveal that accused/petitioner is charged U/S 11-A CNSA. The offence with which accused/petitioner is charged does not fall within the ambit of prohibitory clause of Section 497 Cr. PC. In such like cases grant of bail is a rule and refusal is an exception. There is no criminal history of accused/petitioner. There is nothing on record  
 (Continued....)

  
**Sami Ullah**  
 Civil Judge/JM-I  
 Orakzai, at (Babar Mela)

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 (ASHO) (کتابت 1)  


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Order...02  
Continued.  
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which could show that accused/petitioner is a previous convict in such like cases. Accused/petitioner has not confessed his guilt before the court.

FSL report is not placed on file. Investigation has already been completed and accused is no more required to the local police for investigation.

Resultantly, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 120,000/- (One lac fifty thousand) with two 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 sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
20.09.2023

  
**Sami Ullah**  
Civil Judge/JM-I  
Orakzai (At Baber Mela)