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Case Title: Alam Khan and others VS State

Or.....02
31.05.2021

The instant bail petition received from the court of Learned Senior Civil Judge, Orakzai to the undersigned. APP for the state present. Petitioners through their counsel present. The Complainant not present despite proper service but the injured namely Diyar Ali in person present and refused to engage a counsel and stated that he rely on prosecution. Record received.

The petitioners namely (1) Alam Khan s/o Ameen Khan, (2) Akram Hussain s/o Alam Khan, (3) Minan Ali s/o Saqi Ghulam, (4). Mihran Ali s/o Saqi Ghulam and Halim Ali s/o Muhammad Janan have applied for their post arrest bail in connection with case FIR No. 54, Dated: 27.04.2021 U/S 334,336,337A(i),337A(ii),147,149 PPC, registered in PS Kalaya, L/Orakzai.

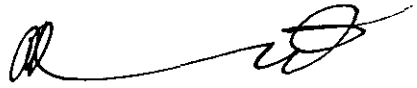
Arguments heard and file perused.

Perusal of case file reveals that the accused have been directly charged. There is daylight occurrence. Over and above this, the sections 334 and 336 PPC leveled against the accused come within the prohibitory clause of section 497 Cr.P.C, where grant of bail is not a rule rather an exception.

For the above reasons, the accused are not entitled to the concession of bail at this stage, hence, application in hand is **dismissed**.

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
31.05.2021


(Rehmat Ullah Wazir)
JM-I/MTMC,
Orakzai at (Baber Mela)