

Case Title: Jamshid VS State

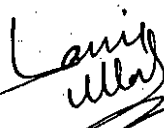
Order...01
06.11.2023

Bail Petition submitted through counsel Mr. Khursheed Alam Advocate. It be entered in the relevant register.

7.

Notice be issued to the complainant/State to produce the relevant record on 07.11.2023.

Moreover, there is an application for requisitioning of case file from District Record Room Orakzai. The said file be requisitioned for the date fixed.


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

Order...02
07.11.2023

Sr. PP for the state present. Learned counsel for accused/petitioner present. Record received. Arguments heard and record perused.

Accused/petitioner namely Jamshid S/O Gul Akbar, R/O resident of Chappar Mishti, District Orakzai seeking his post arrest bail in Case FIR No.01 dated: 03.01.2022 U/S 11-A CNSA, Police Station Kuriz Boya, Lower Orakzai. Moreover, the accused has availed concession of bail from the court concerned previously but during trial he remained absent and proceedings under section 512 were completed. Consequently, upon issuance of perpetual warrant of arrest, the accused were again arrested by the local police and is presently, behind the bars in Sub Jail 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.

(Continued...)


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

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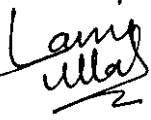
Jamshid Vs State

Order...02
Continued.
07.11.2023

In such like cases grant of bail is a rule and refusal is an exception. There is no criminal history of accused/petitioner. Accused/petitioner has not confessed his guilt before the court. 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 twenty 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:
07.11.2023


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