


Case Title: Sher Badshah VS State

Order...01
07.11.2023

Bail Petition submitted through counsel Mr. Insaf Ali Advocate. It be entered in the relevant register.

Notice be issued to the complainant/State to produce the relevant record on 10.11.2023.


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


Order...02
10.11.2023

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

Accused/petitioner namely Sher Badshah S/O Akbar Shah, R/O Qoam Mishti, Tappa Haider Khel, District Orakzai seeking his post arrest bail in Case FIR No.41 dated: 15.10.2023 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 nothing on record 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

(Continued...)


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


Sher Badshah Vs State

Order...02
Continued.
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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. 90,000/- (Ninety 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:
10.11.2023


Sami Ullah
Judicial Magistrate-I
Orakzai (At Baber Mela)