

Order...03

15.11.2023

Sr. PP for the state present. Counsel for the accused/petitioner present. Complainant alongwith his counsel present.

Arguments heard and record perused.

Accused/petitioner Sher Khan alias Sher Badshah S/O Akbar Shah resident of Qoam Mishti Tappa Chapper, District Orakzai seeks his post arrest bail in case FIR No. 43 dated 27.10.2023 under sections 379/34 PPC, PS Kuriz Boya, District Orakzai.


Perusal of record reveals that accused/petitioner is directly charged in the FIR. Recovery has also been affected, regarding which statement of the one Raimeen Ali u/s 161 Cr.P.C has been recorded through which the present petitioner has been named regarding commission of offence. Although, the offence for which accused/petitioner is charged does not fall within the ambit of prohibitory clause of Section 497 Cr.P.C but this fact by itself will not create a right in favor of accused/petitioner for grant of bail as there is sufficient material available on record connecting the accused/petitioner with the commission of the offence. Offence is heinous in nature.

Resultantly, application in hand is **Dismissed**. Copy of this order be placed on police as well as judicial record. The requisitioned record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

Announced

15.11.2023


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