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IN THE COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE,
ORAKZAI

Bail Petition42/4 of 2023.

Date of institution.....04.12.2023.

Date of decision.....08.12.2023.

Order.No.04
08.12.2023

Sr. PP for the state present. Counsel for accused/petitioner present. Complainant along with counsel also present. Arguments heard and record perused.

Accused/petitioner namely **Ahmad Ullah S/O Zahir Shah**, R/O Qaum Ali Khel, Tappa Shawas Khel, District Orakzai is seeking his post arrest bail in case FIR No.24 dated: 10.11.2023 U/S 379 PPC, Police Station Ghiljo, District Orakzai.

Perusal of record reveals that occurrence took place on 10.11.2023 at 07:00AM and it was reported to the local police on 10.11.2023 at 14:30 hours. FIR was registered on 10.11.2023 at 15:00 hours. There is unexplained delay in lodging of report and registration of FIR. The offence for which the 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. No extra ordinary circumstances exist to justify the departure from the said rule. Accused has not confessed his guilt before the court. Investigation has already been completed and accused/petitioner is no


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more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioner behind the bar.

Consequently, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- (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. Record be returned back to the quarter concerned.

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

ANNOUNCED:
08.12.2023


8.12.23.
Bakht Zada
Senior Civil Judge/JM,
Orakzai