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Or.....03  
04.11.2021

APP for the state present. Petitioner through counsel present. No one for the complainant present despite personal service. Record received.

The petitioner named Naimat Ullah S/O Habib Ur Rehman has applied for his post arrest bail in connection with case FIR No. 46, Dated: 22/09/2020 U/S 406/34 PPC registered in PS Ghiljo, Upper Orakzai.

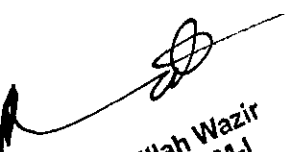
Arguments heard and file perused.

After hearing of arguments and perusal of the record, I am of the opinion that there is nothing on record in the shape of any deed etc through which the accused was entrusted with the property or any survey document etc from which it could be presumed that the money of the complainant was dishonestly misappropriated by the accused, which would connect the accused with the commission of the offence.

Further the offences, for which accused is charged, do not come within the prohibitory clause of 497 Cr.PC, in such like cases the grant of bail is a rule while its refusal is an exception but there exist no exceptional circumstances in the present case. Further the instant case is one of further inquiry, thus, keeping the accused behind the bars would serve no purpose. In addition to, accused is first offender and has got no criminal history at his credit.

For the above reasons, the accused are entitled to the

*Continue.....*


  
Rehmat Ullah Wazir  
Civil Judge/JM-I  
Orakzai (Babar Meta)

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concession of bail at this stage, hence, application in hand is accepted subject to furnishing of bail bonds to the tune of Rs. 80,000/- with two local and reliable sureties each in the like amount to the satisfaction of this court.

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**  
04.11.2021

  
(Rehmat Ullah Wazir)  
Judicial Magistrate-I,  
Orakzai at (Baber Mela)