

Order...03

30.01.2024 Present:

Sr.PP for the state.

Petitioner through counsel.

Complainant in person alongwith counsel.

Accused/petitioner namely Shamal Hassan S/O Thamash Khan resident of Qoam Mani Khel, Tappa Teraye, Tehsil Lower District Orakzai is seeking his post arrest bail in case FIR.No.02 Dated: 04.01.2024 u/s 506/34 PPC, PS Kalaya District Orakzai.

Perusal of record would reveal that offences for which accused/petitioner is charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C. No specific role has been attributed to present petitioner. Perusal of FIR reveals that role of firing has been attributed to the co-accused namely Maqbool Hussain. Moreover, accused/petitioner has not confessed his guilt before the court and there is no criminal history of the present accused/petitioner. Accused/petitioner is no 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. 90,000/- (Ninety thousand only) with two reliable 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 quarters concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

Announced:

30.01.2024



Sami Ullah

Judicial Magistrate-I,
Orakzai (at Baber Mela).