

Case Title: Toor Khan and others VS State

Order...01
12.11.2022

Bail Petition submitted through counsel Mr. Noor Awaz Advocate. The instant bail petition be placed before the Worthy Senior Civil Judge, District Orakzai.

Parties are directed to appear before the court of Worthy Senior Civil Judge, District Orakzai for date fixed.

Notice be issued to the State for record and to complainant for 14.11.2022.

Lami Ullah
Sami Ullah
Judicial Magistrate-I/MOD,
Orakzai (at Baber Mela)

Or.....02
14.11.2022

DPP for the state present. Petitioner s through counsel present. Complainant through the newly transferred SDO PHE, Orakzai present, who stated that the complainant, who was the then SDO PHE, Orakzai has been transferred to District Tank and cannot appear before the court. Record received.

The petitioner namely Toor Khan s/o Haider Khan and Sial Badshah s/o Hakeem Badshah have applied for their post arrest bail in connection with case FIR No. 20, Dated: 19.10.2022 U/S 430/432/506/186/189/34 PPC registered in PS Dabori, U/Orakzai.

Arguments heard and file perused.

Though, accused are directly charged in the FIR but the offences, for which accused are charged, do not come within the prohibitory clause of section 497 Cr.P.C, 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. In addition to, accused are first offenders and have got no criminal history at their credit.

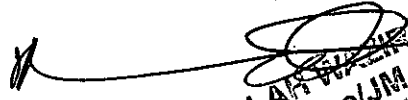
For the above reasons, the accused are entitled to the concession of bail at this stage, hence, application in hand is accepted

[Handwritten signature]
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Sent to the District
Magistrate at Baber Mela

subject to furnishing of bail bonds to the tune of Rs. 50,000/- 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
14.11.2022


(Rehmat Ullah Wazir)
SCJ
Orakzai (Saber Mela)
Senior Civil Judge JM,
Orakzai (Saber Mela)