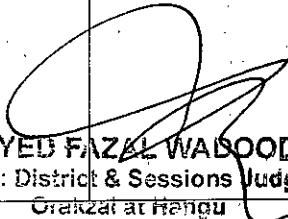


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Court of Additional Sessions Judge, Orakzai at Baber Mela
Child protection Court

BA. 113/4 of 2022
Noor Janan vs State

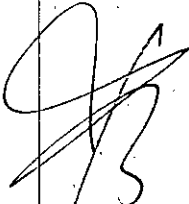
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	25/11/2022	<p>Mr. Abid Ali Advocate, representing accused/petitioner and Mr. Zubair APP for the State are in attendance.</p> <p>2. This order is intended to dispose of the captioned Bail Application submitted by Accused/petitioner Noor Janan s/o Nazeem Shah r/o Qaum Rabia Khel, Tappa Ayaz Khel, Bariyale Ghari, Tehsil Ismailzai, District Orakzai, in case FIR No.23 dated 10.11.2022 registered u/s 328-A/328-A/337-F(i)/34 of the Pakistan Penal Code, 1860 read with Section 37 of the KP Child Protection Act, 2018 in Police Station Ghiljo.</p> <p>3. The accused being father of Child at risk namely Mst Laiba aged about 4/5 years was charged for intentional exposure, ill-treatment, neglect and violence. Consequently above detailed case was registered and accused being behind the bar has moved the court with application for grant of bail, which is under consideration.</p> <p>4. learned counsel representing petitioner argued that the person uploaded the video of Child at risk to social media is though the real son of the accused; but, is disobedient and wayward against whom written applications have been submitted to local police and annexed to petition under adjudication. He wants to grab the property of the accused and that is why uploaded the</p>


SAYED FAZAL WABOOD
Addl: District & Sessions Judge
Orakzai at Hangu

video and manipulated it with ulterior motive. Learned counsel added that the offences with which accused is charged are not following within the ambit of prohibition where grant of bail is matter of general rule. The case of petitioner is within the four corners of further inquiry that entails grant of bail; counsel for petitioner concluded.

5. learned APP while opposing the stance of petitioner contended that accused is directly nominated in the contents of FIR which has promptly been lodged. Medical evidence is available on file which connects accused with commission of offence and is not entitled for concession of bail.

6. This is the tentative assessment of the material available on record and has got nothing with the final determination of case. The police has not bothered to examine the brother of Child at risk who has uploaded the video on social media nor obtained the video for placement on record. The case file reflects that no one has been examined while recovering the Child at risk. No evidence except that of MLC has been procured and thus it cannot be based for connecting accused with the commission of offence on its face; especially, when the offence does not fall within the prohibitory clause of Section 497 of the Code of Criminal procedure, 1898.

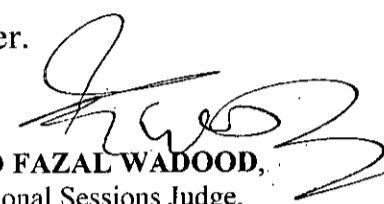

SAYED FAZAL WADOOD
Addl. District & Sessions Judge
Orakzai at Hangu

7. In view of the above, bail petition stands accepted. The accused/petitioner is released on bail subject to

6

113/A of 2022

furnishing surety bonds in the sum of Rs. 120,000/- with two sureties, each in the like amount, to the satisfaction of this Court/MOD. File of this Court be consigned to District Record Room after its necessary completion and compilation within span allowed for. Record of the Police be sent back with copy of this Order.



SAYED FAZAL WADOOD,
Additional Sessions Judge,
Child Protection Court, Orakzai at
Baber Mela