


Order No. 08
16.11.2022

APP for the state present. Sureties namely Stori Khel, Muhammad Ayaz and Hadees Ur Rehman present. Surety Mir Wali Khan absent. Reply to show cause notice submitted. Record of case FIR No. 28, dated 27.03.2022, U/S 506, 504, 341, 148, 149 PPC, PS Kalaya also requisitioned from the office of Moharrir. Arguments heard and record gone through.

Record reveals that Mir Wali, Stori Khel, Muhammad Ayaz and Hadees Ur Rehman stood sureties for the accused Hikmat and Mujahid for an amount of Rs. 50,000/- each. During the trial, they failed to produce the said accused before the court, resultantly, accused were proceeded against U/S 512 Cr. PC and sureties were proceeded U/S 514 Cr. PC.

In reply to the show cause, sureties have contended that as soon as they received summon/notice of the court, they produced both the accused before the court accordingly. Record shows that accused Hikmat was produced before the court on 11.10.2022 while accused Mujahid was produced on 02.11.2022.

There is nothing on record showing that the sureties have gained any financial benefits from the accused. Prima facie, they stood sureties for the accused on social ground. They produced the accused before the court. Sureties have made genuine efforts, therefore, sureties are not liable to be sanctioned by any penalty. Hence, sureties are discharged.


16/11/22
ZAHIR KHAN
Civil Judge (JM)
Kalaya Orakzai

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

Announced
16.11.2022



ZAHIR KHAN
Judicial Magistrate-I, Kalaya
Orakzai