

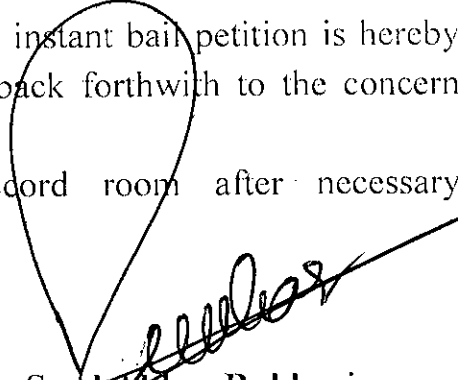
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FORM "A"

FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI

Case Title: Khaista Gul Vs State etc

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 03	19.07.2024	<p>APP for the state present. Accused/petitioner through uncle present. Complainant in person present and submitted W/N in favor of Shabbir Ahmad Khan Advocate and written arguments which are placed on file. Record received. Accused/petitioner <b>Khaista Gul son of Gul Rehman</b>, resident of Onai Badan, Qom Malla Khel, Tappa Char Khela, District Orakzai, seeks his post arrest bail in case FIR No. 10, Dated: 09.06.2024 under sections 406/34 Pakistan Panel Code, 1806 registered at Police Station Daboori, District Orakzai.</p> <p>Learned counsel for accused/petitioner had already submitted written arguments in the instant bail petition while learned APP for the State advanced arguments.</p> <p>Brief facts of the case are that the complainant previously lodged instant FIR against the present accused/petitioner alongwith other absconding accused for breach of criminal trust. Perusal of the available record would transpire that the recovery of Kalashnikov alongwith fixed charger has been affected from the possession of present accused/petitioner. Furthermore, not falling of offence within the prohibitory clause of section 497 Cr.P.C, does not entitle the accused to the concession of bail rather every case has its own facts and circumstances. In present case no exceptional circumstances exist, which may entitle the accused to the concession of bail.</p> <p>In light of above discussion, instant bail petition is hereby <b>dismissed</b>. Record be sent back forthwith to the concern police station.</p> <p>File be consigned to record room after necessary completion.</p> <p><b>Announced</b> 19.07.2024</p> <p> <b>Syed Abbas Bukhari,</b> Judicial Magistrate-II, Tehsil Court Kalaya, Orakzai</p>