


(3)

FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF MUHAMMAD JUNAID ALAM JUDICIAL MAGISTRATE-II, KALAYA ORAKZAI
Case Title: _____ Vs _____

| 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 | 17.10.2020 | <p>None present for the state. Accused/petitioner through his father present. Complainant in person present. Record already received.</p> <p>The petitioner namely Irfan Ullah son of Younas Khan has applied for his post arrest bail in connection with case FIR No. 60, dated: 22.07.2024 under sections 324/427/34 Pakistan Panel Code, registered in PS Kalaya, L/Orakzai.</p> <p>Learned counsel for accused/petitioner submitted written arguments in the instant bail petition while learned APP for the State had already advanced arguments.</p> <p>Record shows that although accused/petitioner is directly and by name charged in the FIR but no active role has been attributed to him. Moreover, the punishment for the offence under section 324 Pakistan Panel Code falls within the ambit of prohibitory clause of Section 497 Cr. PC but it is a case of ineffective firing. Nothing incriminating has been recovered from the possession of present accused/petitioner. Furthermore, as per averments of FIR, the motorcycle of complainant was hit with bullets but there is no mentioning of bullet hitting marks on the motorcycle in the recovery memo. Moreover, perusal of the record further transpire that co-accused had already been granted bail in instant case, hence the rule of consistency also exist in circumstances. Investigation has already been completed and accused/petitioner is no more required to the local police for further investigation and no useful purpose would be served by keeping the</p> |


M. JUNAID ALAM
Civil Judge / J.M-II
Orakzai at Kalaya

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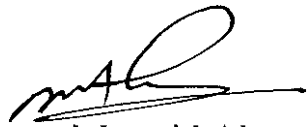
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accused/petitioner behind the bar.

For the above reasons, the accused is entitled to the concession of bail at this stage, hence, application in hand is accepted and he be released on bail, subject to furnishing of bail bonds to the tune of Rs. 100,000/- by the accused 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
17.10.2024


Muhammad Junaid Alam,
Judicial Magistrate-II,
Tehsil Court Kalaya, Orakzai