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BA NO. 2/4

SYED MOEEN HASSAN VS THE STATE
FIR NO. 14, DATED 26.03.2024, U/S 462-K PPC,
POLICE STATION: KUREZ

IN THE COURT OF SYED OBAIDULLAH SHAH,
SESSIONS JUDGE, ORAKZAI AT BABER MELA

Bail Application No : 2/4 of 2025
Date of Institution : 13.01.2025
Date of Decision : 16.01.2025

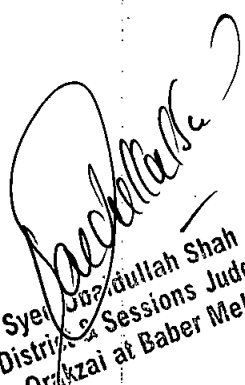
SYED MOEEN HASSAN VS THE STATE

ORDER

DPP, Umar Niaz for the State and Insaf Ali Advocate for accused/petitioner present. Record received. Complainant not present. Arguments heard and record gone through.

(2). The accused/petitioner, **Syed Moeen Hassan** s/o Siddique Hussain seeks his post-arrest bail in case FIR No. 14, Dated 26.03.2024, u/s 462-K PPC of Police Station Kurez wherein, the complainant, SDO Rehmat Ullah TESCO through a Murasila addressed to the SHO of Police Station Kurez made a report to the local police to the fact that on 24.10.2023, the accused/petitioner was found committing illegal theft of electricity at Kokoshah Ghar, District Orakzai which amounts to financial loss burdened upon his department. Hence, the present FIR.

(3). Learned counsel for defense argued that the accused/petitioner has falsely been implicated in the instant case to scot-free the actual culprit. Learned DPP for the state put forward his arguments that the accused/petitioner was redhandedly caught while


Syed Obaidullah Shah
District Sessions Judge
Orakzai at Baber Mela

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committing theft and he has directly been nominated in the FIR.

(4). In the light of arguments advanced by learned DPP and counsel for the accused/petitioner, record gone through which shows that though the accused/petitioner is directly nominated in the FIR, but the offence for which the accused/petitioner is charged, does not fall within the prohibitory of clause of section 497 CrPC. There is no previous history of the accused/petitioner in such like cases. Moreover, the accused/petitioner remained in police custody but no confession or admission has been made by the accused/petitioner.

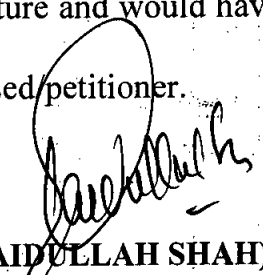
(5). In these circumstances, the accused/petitioner is admitted to the concession of bail provided he submits a bail bond in the sum of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this court. The sureties must be local, reliable and men of means.

(6). Order announced. File of this court be consigned to record room after its necessary completion and compilation. Copy of this order be placed on judicial/police file.

(7). This order is tentative in nature and would have no effect upon the trial of the accused/petitioner.

Dated: 16.01.2025




(SYED OBAIDULLAH SHAH)
Sessions Judge, Orakzai
at Baber Mela