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FORM "A"
FORM OF ORDER SHEET
IN THE COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE, ORAKZAI

Case Title: Mir Zali Khan 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
Or__01	09.01.2025 2	Fresh bail petition submitted. Be entered. Notice be issued to state/complainant and record be requisitioned for <u>10.01.2025</u> .  Ijaz Mahsood Senior Civil Judge/JM, Orakzai at Baber Mela
Order No. 02	10.01.2025	<p>DyPP for the state present. Learned counsel for accused/petitioner present. Complainant absent despite service. Record received. Arguments heard and record gone through.</p> <p>Accused/petitioner namely Mir Zali Khan s/o Naimat Shah, R/O Qaum Feroz Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No. 60, Dated:13.06.2022 U/S 506, 427, 447, 148, 149 PPC, PS Kalaya, Orakzai.</p> <p>Perusal of record reveals that offences with which accused/petitioner is charged do not fall within the ambit of prohibitory clause of Section 497 Cr.PC. In such like cases grant of bail is a rule and refusal is an exception. No extra ordinary circumstances are available on record which could justify departure from the said rule.</p> <p>There is no criminal history of accused/petitioner as per</p>

Senior Civil Judge
Orakzai at Baber Mela
10 JAN 2025


available record. Accused has not confessed his guilt

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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title:

میرزا خان بنا / ک / وغیرہ

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
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Order No. 02 continued	10.01.2025	<p>before the court. Participation of accused/petitioner in the commission of the offence is to be determined during trial, therefore, case of accused/petitioner requires further inquiry. Furthermore, Co-accused have already been released on bail, therefore, rule of consistency also attracted to the case of accused/petitioner. 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 accused/petitioner behind the bar.</p> <p>Law, by default, sides with bail rather than jail. Only when the commission of crime is sufficiently probable, and the nature and gravity of the alleged offence makes the accused person a flight risk or threat to the community, is bail to be withheld.</p> <p>Resultantly, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- with two reliable sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. Record be sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.</p> <p style="text-align: center;"><u>Announced</u> 10.01.2025</p> <div style="text-align: right;"> Ijaz Mahsood Senior Civil Judge/JM, Orakzai (at Baber Mela)</div>