

(5)

IN THE COURT OF FARMAN ULLAH,
SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

ORDER
20/07/2020

APP for the state present. Counsel for the accused/petitioner present.

The petitioners named 1. Sawab Khan s/o Piyao Khan 2. Rafeeq Haji s/o Gulbat Khan 3. Hunar Khan s/o Raza Gul 4. Khatak s/o Lal Mat Sher 5. Haleem Gul s/o Naseem Gul 6. Raheem s/o Zar Khan 7. Yaqeen Khan s/o Qalat Khan 8. Khameen s/o Shar Gul 9. Syed Bar s/o Ali Haqdar have applied for their post arrest bail in connection with case FIR No. 77 dated 06/07/2020 u/s 506,447,427,148,149 PPC registered in PS Kalaya Lower Orakzai.

Arguments heard and file perused.

Perusal of the record reveal that accused/petitioners are charged for offences u/s 447,427,148,149 PPC.

Offences u/s 447,427,148,149 PPC are bailable in nature. Though offence u/s 506 (second part) PPC is non bailable. Yet allegations of complainant regarding criminal intimidation is based on oral assertion and neither any weapon of offence from accused no any empty from the spot has been recovered. Moreover, no statement of any witness is available on record to support the allegation of complainant. Furthermore, the punishment provided for such offence also does not attract prohibitory clause of section 497 CrPC, hence the grant of bail in such cases is a rule while its refusal as exception however no exceptional circumstances exists in instant case. The accused/petitioners are neither previous convicted nor they have confessed their guilt.

For above, accused are entitled to the concession of bail at this stage, hence, application in hand is accepted and accused are released on bail subject to furnishing of bail bonds to the

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tune of Rs: 80,000/- with two local sureties each in the like amount to the satisfaction of the court.

Copy of this order be placed on police record and File be consigned to record room. Record requisitioned be sent to quarter concerned.

ANNOUNCED

20.07.2020

FARMANULLAH
Senior Civil Judge
Orakzai at Baber Mela
Farman Ullah
Senior Civil Judge,
Orakzai at Baber Mela.