

Or-----01
27/06/2019

(2)

hsb

Bail petition submitted through counsel. Notice be issued to state for record and to complainant for 29/06/2019. File to come up before the concerned Court/MOD on the date fixed.

(M. Imtiaz)

Civil Judge/Judicial Magistrate-II,
Orakzai

27.06.19

Order-02
28/06/2019

28.06.19

Counsel for the accused/petitioners present. DPP for state also present. Wakalatnama on behalf of complainant submitted. Record received. Although case is fixed for tomorrow i.e 29-06-2019 but counsel for the parties submitted an application for early hearing which is accepted accordingly. Case file requisite and record perused.

Accused/petitioners Inayat Ali s/o Ain Ali, Zahid Ali s/o Ghameen Ali, Irshad Ali s/o Ghameen Ali all residents of lower Orakzai seeks their post arrest bail in case FIR No. 16, Dated: 19/06/2019 U/S 506/34 PPC registered at Police Station Kalaya, District Orakzai.

Facts in brief as per the prosecution case are that the complainant Mr. Bashir Ali s/o Jang Ali through his application to SHO had charged the accused /petitioners for criminally intimidation. So the complainant charged the accused/petitioners in the present case.

Arguments heard and record perused.

Perusal of the record available on file reveals that in his application, the complainant has alleged the accused/petitioners criminally intimidated him. Today counsel for the complainant Mr. Jabir Hussain advocate also submitted no objection on the grant of bail ^{to} accused/petitioners.

Section 506 PPC carries punishment in first part for imprisonment of two years while in second part it carries punishment of imprisonment for 07 years which does not fall within the prohibitory clause of section 497 Cr.P.C and in such like cases grant of bail is a rule while refusal is an exception. Moreover there is nothing on the record that the accused/petitioner is hardened, desperate criminal or previously convicted.

Continued.....

Order-02
Continued
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The investigation in the instant case is complete and no better purpose will be served if the accused/petitioner is kept in jail in the existence of above mentioned circumstances.

Consequently, the bail petition in hand is allowed. Accused/petitioners is ordered to be released on bail subject to furnishing of bail bonds to the tune of Rs: 50000/- with two local, reliable and resourceful sureties each in the like amount to the satisfaction of this court. Record be sent back forthwith to the concern police station. File be consigned to record room after necessary completion.

Announced
28/06/2019

28.06.19
Muhammad Imtiaz
Civil Judge/JM-II,
Orakzai