

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

④

**ORDER**  
30/07/2020

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

The petitioner named Khadim Ali s/o Darwesh Ali has applied for their post arrest bail in connection with case FIR No. 28 dated 05/07/2020 u/s 506, 447/34 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 506/447/34 PPC.

Offence u/s 447/34 PPC isailable in nature. Though offence u/s 506 (second part) PPC is nonailable, yet allegations of complainant regarding criminal intimidation is based on oral assertion and neither any weapon of offence from accused nor any empty from the spot has been recovered, which makes the case of accused one of further inquiry 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 is entitled to the concession of bail at this stage, hence, application in hand is accepted and accused/petitioners are released on bail subject to furnishing of bail bonds to the 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**  
30.07.2020

**FARMAN ULLAH**  
Senior Civil Judge  
Orakzai at Baber Mela  
**Farman Ullah**  
Senior Civil Judge,  
Orakzai at Baber Mela.