

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

**ORDER-3**  
30/07/2020

APP for the state present. Counsel for the accused/petitioner present. Complainant absent in spite of service.

The petitioners namely Talib Jan s/o Lal Badshah has applied for their post arrest bail in connection with case FIR No. 62 dated 22/06/2020 u/s 337A(i), 337F (vi), 447/34 PPC of PS Kalaya lower Orakzai.

Arguments heard and file perused.

Perusal of the record reveals that accused/petitioner has been attributed role of causing injury on the left hand of complainant while other injuries have been attributed to other co-accused. However, record depicts that at present no statement of any witness is available on file which could corroborate the story of complainant narrated in the FIR. Moreover, accused/petitioner has neither confessed his guilt nor he is previous convicted. So, all these facts and circumstances make the case of accused one of further inquiry. Moreover, the punishment provided for the offence also does not attract the 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.