

Muhammd Shamim vs state FIR No 14 Dated 13.04.2020 u/s 379/34/411

Order-01  
04.05.2020

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Bail petition submitted through counsel Mr Sanaullah Advocate. Be entered in relevant register. Notice be issued to the complainant, state and record for 05.05.2020

Muhammad Imtiaz  
Civil Judge/JM-II  
Orakzai at (Saber Mela)  
**Muhammad Imtiaz**  
Judicial Magistrate-II, Orakzai

Order-02  
05.05.2020

*Mr Sanullah Khan petitioner present .  
Dpp for the State present  
Record received  
Mr Ahmadullah cousin of the complainant present*

Cousin of the complainant stated that complainant is out with tablighe jamat. seek one-day time for engaging counsel and arguments. Granted. Cousin of the complainant is directed that if he requires any documents he may obtain copies today. File to come up for arguments on 06.05.2020

Muhammad Imtiaz  
Civil Judge/JM-II  
Orakzai at (Saber Mela)  
**Muhammad Imtiaz**  
Judicial Magistrate-II, Orakzai

Or.....03  
09/05/2020

18/5/20  
9249335-3

The instant bail petition received from the court of learned JM-II Orakzai. It be registered.

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

Complainant though served earlier but not present today.

Arguments heard and record perused.

Accused/petitioner Muhammad Shamim s/o Jan Muhammad resident of Mishti Tappa Chapper, District Orakzai seeks his post arrest bail in case FIR No. 14 dated 13/04/2020 under sections 379/34/411 PPC PS Upper Orakzai/ Ghiljo.

Rehmat Ullah Wazir  
Civil Judge/JM-I  
Orakzai at (Saber Mela)

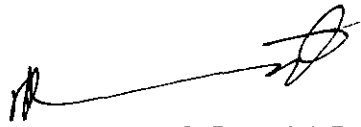
Perusal of record reveals that accused/petitioner is directly charged in the FIR. Recovery has also been effected. The present petitioner has

also recorded his confessional statement before the court whereby he confessed his guilt. Though, Punishment provided for the offence does not attracts the prohibitory clause of section 497 Cr.PC but the same is a heinous offence which affects the public at large. Therefore, the accused/petitioner does not deserve the concession of bail. Hence, his bail application is rejected.

Copy of this order be placed on both Police and Judicial files.

File be consigned to record room after completion.

**Announced**  
**09/05/2020**

  
**(Rehmat Ullah Wazir)/MOD**  
Judicial Magistrate-I  
Orakzai (at Baber Mela)