

Case Title: Sarfaraz etc VS State

Or.....01
29-09-2020

Bail Petition submitted through counsel Mr. Sana Ullah Khan advocate. Be entered in the relevant register.

Notice be issued to the State for record and to complainant for

12/
01.10.2020.

(Rehmat Ullah Wazir)
Judicial Magistrate-I,
Orakzai (at Baber Mela)

Or.....02
01-10-2020

APP for the state present. Counsel for the accused/petitioner present. No one on behalf of the complainant appeared despite personal service and despite repeated calls. Record received.

The petitioners named Sarfaraz and Habib Rehman Sons of Ganeep Shah have applied for their post arrest bail in connection with case FIR No. 46, Dated: 22/09/2020 U/S 406/34 PPC registered in PS Ghiljo, Upper Orakzai.

Arguments heard and file perused.

After hearing of arguments and perusal of the record, I am of the opinion that there is nothing on record in the shape of any deed etc through which the accused were entrusted with the property or any survey document etc from which it could be presumed that the money of the complainant was dishonestly misappropriated by the accused, which would connect the accused with the commission of the offence.

Continue.....

(4)

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Or.....02
Continued
01-10-2020

Further the offences, for which accused are charged, do not come within the prohibitory clause of 497 Cr.PC, in such like cases the grant of bail is a rule while its refusal is an exception but there exist no exceptional circumstances in the present case. Further the instant case is one of further inquiry, thus keeping the accused behind the bars would serve no purpose. In addition to, accused are first offenders and have got no criminal history at their credit.

For the above reasons, the accused are entitled to the concession of bail at this stage, hence, application in hand is accepted subject to furnishing of bail bonds to the tune of Rs. 80,000/- with two local and reliable sureties each in the like amount to the satisfaction of this court.

Copy of this order be placed on police record and the instant File be consigned to record room while record be sent back to the quarter concerned.

ANNOUNCED
01/10/2020



(Rehmat Ullah Wazir)
Judicial Magistrate-I,
Orakzai at (Baber Mela)