

4


Case Title: Muhammad Siddique etc VS State

Or.....02
24.10.2020

The instant bail petition received from the court of Learned Senior Civil Judge, Orakzai as MOD. It be registered.

Record received today. The counsel for the petitioners present and argued the petition while the one Farooq advocate submitted wakalat nama on behalf of the complainant and sought adjournment. Adjourned.

File is to come up for arguments of complainant's counsel and order on 26.10.2020.


(Rehmat Ullah Wazir)
Civil Judge *JMI*
Orakzai (at Baber Mela)


Order No. 03
26-10-2020

APP for the state present. Counsel for accused/petitioners have already argued petition on the previous date. The counsel for the complainant present and submitted written arguments.

Accused/petitioners 1. Muhammad Sadique S/O Sher Muhammad, 2. Sher Muhammad S/O Ismail Shah, 3. Karam Ud Din S/O Ismail Shah, 4. Gul Saif Khan alias Gul Sahib Khan S/O Habib Ullah Khan 5. Jan Muhammad S/O Din Muhammad 6. Wajid Mir S/O Noor Faqir all R/O Ghutak, Upper Orakzai, seek their post arrest bail in case FIR No. 51, Dated: 16.10.2020 U/S 342/506/447/427/148/149 PPC registered at Police Station Ghiljo, Upper Orakzai.

Arguments heard and record perused.

After hearing of arguments and perusal of the record I am of the opinion that most of the sections of law levelled against the accused/petitioners areailable while the nonailable section levelled against the accused/petitioners is only section 506 PPC but the same 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.


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

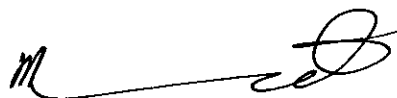
Continue...

And no such exceptions have been brought forth by the complainant. Moreover, there is nothing on the record that the accused/petitioner are hardened, desperate criminal. The investigation in the instant case is complete and no better purpose will be served if the accused/petitioners are kept in jail in the existence of above mentioned circumstances.

Consequently, the bail petition in hand is allowed. Accused/petitioners are ordered to be released on bail subject to furnishing of bail bonds to the tune of Rs: 50,000/- (fifty thousands) 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
26.10.2020


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