

Case Title: Salim Khan VS State

Or.....03
15.12.2020

APP for the state present. Petitioner and complainant through their respective counsel present.

The petitioner named Salim Khan s/o Yar Jan has applied for his post arrest bail in connection with case FIR No. 74, Dated: 05.07.2020 U/S 379/34 PPC registered in PS Kalaya, Lower Orakzai.


Arguments heard and file perused.

There is no recovery effected from the accused which is a decisive factor in deciding a bail petition in theft cases. Further, though accused is directly charged in the FIR but the offences, for which accused is charged, do not come within the prohibitory clause of section 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. In addition to, accused is first offender and have got no criminal history at his credit. Also, the accused is 72 years of age and physically appears to be weak and infirm.

For the above reasons, the accused is 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: 50,000/- 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
15.12.2020


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