

Case Title: Rafil Khan VS State

Or.....04
29.12.2020

APP for the state present. Accused/Petitioner through counsel present. Complainant absent.

The petitioner named Rafil Khan S/O Ajmal Kan has applied for his post arrest bail in connection with case FIR No. 121, Dated: 29.11.2020 U/S 342/406 PPC registered in PS Kalaya, Lower Orakzai.


Arguments heard and file perused.

Perusal of record reveals that though the accused has not been directly charged in the FIR but the GLI motor car bearing no. N006-Islamabad, which was driven by the present petitioner was accompanied in the whole episode and the present petitioner is admittedly the owner of the said motor car. Also, in supplementary statement of the complainant recorded u/s 161 Cr.P.C on 19.12.2020, the present petitioner has been charged. There is day light occurrence. The contents of FIR reveal a different and heinous nature of offence. The accused is prima facie connected with the commission of offence. Though, the sections of law levelled against the accused are not falling within the prohibitory clause of section 497 Cr.P.C but the offence is heinous in nature and have an affect over the society at large.

Thus, in these circumstances the accused is not entitled to the concession of bail at this stage, hence, application in hand is **dismissed**.

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
29.12.2020


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