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Case Title: Maib Ali Khan VS State

Or-----01

25/01/2020

FL

Bail petition submitted through counsel Mr. Abid Ali advocate.
Notice be issued to state for record and to complainant for
27.01.2020. File to come up before the concerned court/MOD on
the date fixed.

Muhammad Imtiaz
Civil Judge/Jr. Magistrate
Orakzai (D. Ar. Me.)
(M. Imtiaz)

Judicial Magistrate-II,
Orakzai

N/R

27.01.2020

Presiding officer is casual leave. File to come up for compliance of
Order-01 Dated: 25/01/2020 on 28/01/2020

Or-----02

28/01/2020

Record received.

Counsel for the Accused/Petitioner Mr. Abid Ali Advocate present.

APP Mr. Amir Shah for the state present.

Mr. Muhammad Umar for the complainant present.

Arguments of the learned counsel of the party heard. File to come
up for the order on 29/01/2020

Muhammad Imtiaz
Civil Judge/Jr. Magistrate
Orakzai (D. Ar. Me.)
(M. Imtiaz)

Judicial Magistrate-II,
Orakzai

Or-----03

29/01/2020

Counsel for the Accused/Petitioner Mr. Abid Ali Advocate present.

DPP for the state present.

Mr. Muhammad Umar for the complainant present.

(1) Above named Counsel/Representatives for the parties were
present on the previous date. Today is the date fixed for Order on
"Bail Petition" filed by the Accused Maib Ali Khan through
Counsel Mr. Abid Ali Advocate.

(2) **Accused/Petitioner Maib Ali Khan S/O Gul Ajab Khan**
Continued.....

Muhammad Imtiaz
Civil Judge/Jr. Magistrate-II
Orakzai (D. Ar. Me.)

Or-----03

Continued

29/01/2020

(3) Caste Ali Kheil R/O Tappa Jasrat Kheil, Tehsil Upper District Orakzai has applied for the grant of **Post-Arrest Bail** in case FIR No. **05** Dated **23/01/2020** U/S **420/468/471 PPC** Police Station **Giljo, Upper Orakzai**. S.420 and S.471 PPC are bailable. While S.468 PPC *only* is Not-Bailable.

(4) Brief facts of the prosecution case are that the complainant has charged the Accused/Petitioner for intentionally signing/verifying (*Being authorized verifier as Malak in the Erst-While FATA*) the bogus death certificate of Mst. Gul Jamala in collusion with her Step-Sons. Such Certificate is required for family Pension. By signing/verifying that bogus certificate of Mst. Gul Jamala she was deprived of her right to husband's Pension. Hence was booked in the present case.

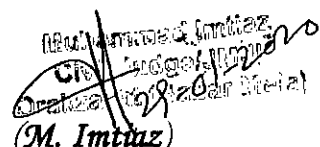
(5) Arguments heard and record perused.

(6) The Perusal of record reveals that although the accused/petitioner is directly charged in the FIR, yet the offence does not fall within the prohibitory clause of section 497 Cr.P.C. The investigation is almost complete and no better purpose would be served by keeping the accused/petitioner behind the bar.

(7) For the above reasons the application is hereby **Allowed**. Accused/petitioner be released on bail subject to furnishing of bail bonds to the tune of Rs. 100,000/- (one lac) with two local, reliable and resourceful sureties each in the like amount to the satisfaction of this court.

(8) Record be sent back forthwith to the corner concerned. A copy of this order shall be placed on Judicial as well as on Police file. File be consigned to record room after necessary completion.

Announced:
29/01/2020


(M. Imtiaz)
Judicial Magistrate-II,
Orakzai