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COURT OF SENIOR CIVIL JUDGE/JM, ORAKZAI AT BABER MELA

Case Title: Imran VS State

Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order No. 03	14.03.2025	<p>Sr.PP for the state present. Counsel for accused/petitioner and counsel for complainant present. Arguments heard and record gone through.</p> <p>The petitioner namely Imran alias Khapeer S/O Mohammadi Jan has applied for his post arrest bail in case FIR No. 66, Dated: 17.12.2024, U/S 380/34 PPC, registered in PS: Kurez Boya, L/Orakzai.</p> <p>The offence for which accused/petitioner is charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C and in such like cases grant of bail is a rule and refusal is exception. Furthermore, the present accused has not been directly charged in the instant case but his name has been disclosed by one Rizwan in his 161 Cr.PC statement. There is no eye-witness to the occurrence. There is no criminal history of accused/petitioner regarding his involvement of in such like cases. Co-accused namely Asif alias Shah Nawaz and Noor Janan with similar role have already been released on post arrest bail vide order dated 16.12.2024 passed by the court of Judicial Magistrate-I, Tehsil Courts Kalaya, therefore, role of consistency applies to the case of accused/petitioner.</p> <p>Accused has not confessed his guilt before the court.</p> <p>Participation of accused/petitioner in the commission of the</p>

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offence is to be determined during trial, therefore, case of accused/petitioner requires further inquiry. Investigation has already been completed and accused/petitioner is no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioner behind the bar.

Resultantly, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 70,000/- with two reliable sureties each in the like amount to the satisfaction of this court. Copy of this order be placed on police as well as judicial record. Record be sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

File be consigned to the record room after its necessary completion and compilation.

Announced
14.03.2025


Ijaz Mahsood
Senior Civil Judge/JM,
Orakzai (at Baber Mela)

