(9)

FORM "A"
FORM OF ORDER SHEET

IN THE COURT OF SYED ABBAS BUKHARI, CIVIL JUDGE/JUDICIAL MAGISTRATE/CJ-II, KALAYA ORAKZAI

Case Title: _____ Vs _____

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
Or------03	13.05.2023	APP for the state present. Accused/petitioner through cousin present. No one for complainant present. Accused/petitioner **Hayat Ullah S/O Muhammad Yaseen**, R/O Shahda Banda, Tappi Baqi Zai Kohat, seeks his post arrest bail in case FIR No. 08, Dated: 03.05.2023 U/S 380/457/34 PPC registered at Police Station Daboori, District U/Orakzai. Arguments of learned counsel for accused/petitioner and learned APP for the State heard. Arguments heard and record perused. Brief facts of the case are that the complainant previously lodged instant FIR against the accused Asif Nawaz and alongwith four unknown accused for theft of 13 solar plates installed at his tube well. Perusal of the available record would transpire that accused/petitioner has not been directly charged in the instant case by the complainant rather his name has been disclosed by accused Asif Nawaz in his 161 Cr. PC statement. No role of theft has been attributed to the present accused/petitioner by accused Asif Nawaz in his 161 Cr. PC statement. Moreover, the occurrence took place at night time and furthermore delay of 03 days between occurrence and FIR. Furthermore, no recovery has been made from the present accused/petitioner. The offence does not fall within the prohibitory clause of section 497 Cr.P.C. In light of above discussion, instant bail petition is hereby **allowed** subject to furnishing bail bonds of Rs. 80,000 with two local and reliable 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** 13.05.2023 SYED ABBAS BUKHARI Civil Judge/JM Tehsil Court Kalaya **Syed Abbas Bukhari,** Judicial Magistrate-II, Tehsil Court Kalaya, Orakzai