Order No. 01
25.05.2023

Bail Petition submitted through counsel Syed Bakhtiar Hussain advocate. Be entered in the relevant register.

Notice be issued to the State for record and complainant for **27.05.2021**

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

Order No. 02
27.05.2023

وحید اللہ ولد رحمان گل
21601-4761333-5

App for the state and Counsel for accused/petitioner are present. Record already received. Complainant in person present, in this respect his thumb impression is obtained in margin of order sheet. Arguments heard and record perused.

1. Accused/petitioner namely Gul Zali Khan S/O Khiyal Zali Khan R/O Qoam Bezot, Tappa Yar Kali Khel, Tehsil Lower District Orakzai is seeking his post arrest bail in case F.I.R No.17 Dated: 02.05.2023 U/S: 381-A/411 PPC, Police Station Kuriz Boya, District Orakzai.

2. Perusal of record would reveal that offences with which accused/petitioner is charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C. There is no criminal history of accused/petitioner as per available record. Accused/petitioner has not confessed his guilt before the court. No recovery has been affected from accused/Petitioner. Moreover, perusal of case file reveals that the vehicle in question as per the stance of complainant was stolen back in 2003. Furthermore, as per content the FIR, the complainant came to

(Continued...)

Sami Ullah
Civil Judge/JM-I
Orakzai at (Babar Mela)

Order No. 02
Continued.
27.05.2023

know one month ago that the vehicle in question is in use of the accused/petitioner, which is a considerable delay in lodging FIR on part of the complainant. The facts mentioned above make the case one of further inquiry.

3. 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.

4. Consequently, application in hand is **allowed**. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 120,000/- (One lac and twenty thousand) 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. The requisitioned record be sent back to the quarters concerned forthwith, while files of this court be consigned to record room after necessary completion and compilation.

Announced:
27.05.2023

Sami Ullah
Civil Judge/JM-I,
Orakzai (at Baber Mela).