

IN THE COURT OF WAJID ALI,
ADDITIONAL SESSIONS JUDGE, HARIPUR AT GHAZI.

Nadir Khan vs. State

Post-Arrest Bail Petition 121/4

Date of Institution 17.07.2023

Date of Decision 24.07.2023

Serial No. of Order or Proceeding	Date of Order or Proceeding	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order.....04	24.07.2023	<p>Saqib Muneeb Advocate, learned counsel for accused/petitioner present. Alam Zeb, learned SPP for the State also in attendance. Complainant through Mr. Ajmal Khan Tahirkhely present. Arguments heard and record perused.</p> <p>2. Accused/petitioner namely; Nadir Khan s/o Ali Rehman r/o Garhi Mera, Tehsil Ghazi District Haripur seeks post arrest bail in case FIR No. 310 dated 11.07.2023 registered u/s 462-M/34/411 of the PPC registered at PS Ghazi, wherein, the complainant charged the accused/petitioner for stealing nuts & bolts from N016 tower installed with the assistance of WAPDA.</p> <p>3. Perusal of the record would show that although accused/petitioner is directly charged. However, the alleged occurrence has not been witnessed by anyone and the complainant has not brought forth any source of his satisfaction or information. No recovery of any incriminating material is affected from</p>

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		<p>possession of the accused/petitioner. He has not confessed his guilt and is no more required for further investigation. The punishment of offence under section 462-(M) of the PPC does not fall within ambit of the prohibitory clause of section 497 Cr.PC. Bail in such like cases is a rule and refusal an exception. Exceptional circumstance for refusal of bail in this case is not manifested from record. This opens the case of accused/petitioner to further inquiry.</p> <p>4. In view of above, this post arrest bail application is allowed, and the accused/petitioner is admitted to bail subject to submission of bail bonds in the sum of Rs. 80,000/- with two local, reliable and solvent sureties, each in the like amount to the satisfaction of this court.</p> <p>5. Copy of this order be placed on police/judicial record. File be consigned to record room after completion, compilation and scanning.</p> <p><u>Announced</u> 24.07.2023</p> <p>(Wajid Ali) Additional Sessions Judge, Haripur at Ghazi.</p>