

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Bail Petition 13/4 of 2023.

Date of Original institution.....14.02.2023.

Date of Present Institution.....24.02.2023.

Date of decision.....25.02.2023.

Insaf Ali Advocate for Complainant
APP for the state

Order.No.02
25.02.2023

APP for the state present. Counsel for complainant present.
Counsel for accused/petitioner has already submitted written arguments. Record received. Arguments of counsel for complainant and APP for the state heard and record perused.

Accused/petitioner namely Abu Darda Alias Iltaf S/O Khyal Akbar, R/O Chappar Mishti, District Orakzai is seeking his post arrest bail in case FIR No.22 dated: 16.11.2022 U/S 436, 506, 34 PPC, Police Station Kurez Boya, District Orakzai.

Record shows that source of information regarding involvement of the accused/petitioner in the commission of the offence has not been disclosed. Nothing incriminating has been recovered from possession of the accused/petitioner or on his pointation. Complainant is not the

eye-witness of the occurrence. Co-accused have already been released on bail vide order dated 23.01.2023 and 12.01.2023. Rule of consistency attracted to the case of accused/petitioner. Furthermore,

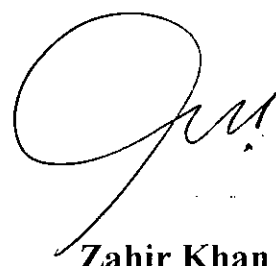
25/02/2023
ZAHIP KHAN
Civil Judge/JM
Kalaya Orakzai

per card of arrest of accused/petitioner, age of accused/petitioner is about 13/14 years. 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.

Consequently, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- (Fifty thousand) with two 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 returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
25.02.2023



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai