

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE -I TEHSIL
KALAYA, DISTRICT ORAKZAI**

Bail Petition 20/4 of 2023.
Date of institution.....28.03.2023.
Date of decision.....30.03.2023

Order.03
30.03.2023

None present for the state. Son of accused/petitioner along with clerk of counsel present. Written arguments on behalf of counsel for accused/petitioner submitted. Complainant was present on previous date however, none present on his behalf today. Record already received and perused.

Accused/petitioner namely Tanab Ali S/O Nawab Ali R/O Qaum Mani Khal, Zaredar Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.23 dated: 11.03.2023 U/S 506/34 PPC, Police Station Kalaya, District Orakzai.

The offence with which accused/petitioner is charged does not fall within the ambit of prohibitory clause of Section 497 Cr.PC. In such like cases grant of bail is a rule and refusal is exception. No extra ordinary circumstances exist for refusing bail of accused/petitioner. No empty has been recovered form the spot. Co-accused namely Mudabir Ali with similar role has already been released on post arrest bail vide order dated 14.03.2023, therefore,



30/03/2023

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

role of consistency apply to the case of accused/petitioner. Accused has not confessed his guilt before the court. 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. File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
30.03.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai