

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

Bail Petition26/4 of 2023.

Date of institution.....12.04.2023.

Date of decision.....13.04.2023.

Order.02
13.04.2023

None present for the state despite service. Counsel for accused/petitioner present. Record received. Arguments heard and record perused.

Accused/petitioner namely Ameer Jan S/O Sakhi Baz R/O Qoam Malak Din Khel, Sardand, District Khyber is seeking his post arrest bail in Case FIR No.36 dated: 10.04.2023 U/S 15AA and 17AA Police Station Kalaya, District Orakzai.

Record shows that 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 an exception. No extra ordinary circumstances exist to justify departure from this rule. Accused/petitioner has not confessed his guilt before the court. No FSL or arms expert report is placed on file. 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.



13/04/2023
ZAHIR KHAN
Civil Judge, JM
Kalaya Orakzai

Resultantly, 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 while record be returned back to the quarter concerned.

ANNOUNCED:
13.04.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai