

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

Bail Petition ..... 46/4 of 2023.

Date of institution.....22.05.2023.

Date of decision.....24.05.2023.

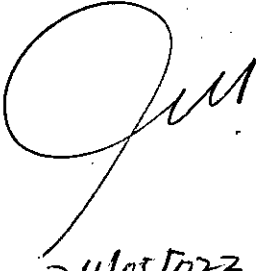
APP FOR THE STATE, BROTHER OF  
ACCUSED/PETITIONER, FATHER OF VICTUM

Order.03  
24.05.2023

APP for the state. Brother of accused/petitioner namely Muhammad Ibrar present. Rehmat Kareem, father of Jihad Ullah present. He stated that they are going to patch up the matter with accused/petitioner and have got no objection if accused/petitioner is released on bail. Argument on behalf of counsel for accused/petitioner and APP for the state already heard and record perused.

Accused/petitioner namely Aman Ullah Jan S/O Adalat Khan R/O Qaum Feroz Khel, Tappa Ghairat Khel, District Orakzai is seeking his post arrest bail in case FIR No. 31, Dated: 04.04.2023 U/S 392 PPC, 5-EXP-SUB-ACT and 15-AA, PS Kalaya, Orakzai.

Perusal of record would reveal that although accused/petitioner is by name charged in the FIR for the commission of the offence and the offence falls within the ambit of prohibitory clause of section 497 Cr.PC but nothing incriminating has been recovered from possession of the

  
24/05/2023  
**ZAHIR KHAN**  
Civil Judge/JM  
Kalaya Orakzai

accused/petitioner or on his pointation despite grant of physical custody of the accused/petitioner. There is no criminal history of the accused/petitioner. He has not confessed his guilt before the court. Furthermore, father of victim Jihad Ullah stated that he has got no objection if accused/petitioner is released on bail. Moreso, co-accused have already been released on bail by the court of Worthy District & Sessions Judge, Orakzai, and by this court therefore, accused/petitioner is entitled to the concession of bail on the bases of role of consistency.

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. Requisitioned record be sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**24.05.2023**



**Zahir Khan**  
JMIC-I, Kalaya, Orakzai