

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

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Bail Petition ..... 47/4 of 2023.

Date of institution.....22.05.2023.

Date of decision.....23.05.2023.

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Mr. Sana Ullah Khan advocate for accused/petitioner

APP for the state

Order.No.02

23.05.2022

APP for the state present. Learned counsel for accused/petitioner present. Complainant absent despite service through mobile phone. Record received. Arguments heard and record gone through.

Accused/petitioner Aman Ullah Jan S/O Adalat Khan resident of Qaum Feroz Khel, Tappa Ghairat Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No.60, Dated:13.06.2022 U/S 506, 341, 447, 427, 148, 149 PPC, PS Kalaya, Orakzai.

Perusal of record reveals that there is unexplained delay in lodging of report. Offences with which accused/petitioner is charged

do 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 an exception. No extra ordinary circumstances are available on record for refusing bail of accused/petitioner. Co-accused have already been

  
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Civil Judge/JM  
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released on bail, therefore, accused is entitled to concession of bail on the basis of rule of consistency. 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.

Resultantly, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- with two reliable 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 sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**23.05.2023**



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