

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

Bail Petition 48 /4 of 2023.
 Date of institution.....29.05.2023.
 Date of decision.....30.05.2023.

Mr. Sana Ullah Khan Advocate counsel for accused/petitioner.
APP for the state

Order.02
30.05.2023

Bail petition received from the court learned JMIC-II, Kalaya.

Be entered.

APP for state present. Learned counsel for accused/petitioner present. Record received. Arguments heard and record perused.

Accused/petitioner namely Qareeb Khan S/O Khewa Gul is seeking his post arrest bail in case FIR No.04, Dated: 14.01.2023 U/S 379/34 PPC, PS Kalaya L/Orakzai.

Perusal of record would reveal that source of information regarding involvement of accused/petitioner in the commission of the offence has not been disclosed by the complainant. Nothing incriminating has been recovered from possession of the accused/petitioner or on his pointation. Accused has not confessed his guilt before the court. The offence for which accused/petitioner is charged does not fall within the ambit of prohibitory clause of section 497 Cr.P.C and in such like cases grant of bail is a rule and refusal is



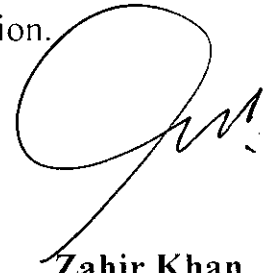
30/05/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

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exception. There is no criminal history of accused/petitioner regarding his involvement of in such like cases. Furthermore, co-accused with similar role have already been released on post arrest bail by the court, therefore, role of consistency attracted to the case of accused/petitioner.

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:
30.05.2023



Zahir Khan
Civil Judge-I, Kalaya, Orakzai