

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

Bail Petition .....57/4 of 2023.  
Date of institution.....20.06.2023.  
Date of decision.....22.06.2023.

Mr. Asad Ijaz Advocate for accused/petitioner

**Order No.2**  
**22.06.2023**

Counsel for accused/petitioner present. Complainant absent despite service. Record received. Arguments heard and case file perused.

Accused/petitioner namely Wakeel Khan S/O Muqarab Khan R/O Qaum Feroz Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.94 dated: 03.10.2022 U/S 506, 504, 341/34 PPC, Police Station Kalaya, District Orakzai.

Perusal of record reveals that 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 such extra ordinary circumstances are available on record to justify departure from this rule. Nothing incriminating has been recovered from possession of accused or on his pointation. Accused/petitioner has not confessed his guilt before the court. Furthermore, co-accused has already been released on bail, therefore, rule of consistency also attracted to the



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**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

(4)

case of accused/petitioner. 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. Record be sent back to quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**22.06.2023**



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