

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

Bail Petition63/4 of 2023.
 Date of institution.....10.07.2023.
 Date of decision.....11.07.2023.

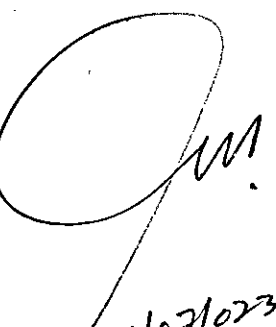
Mr. Sana Ullah Advocate for accused/petitioners
Dy.PP for the state

Order.No.02
11.07.2023

Dy.PP for the state present. Learned counsel for accused/petitioners present. Supplementary record received. Arguments heard and record gone through.

Accused/petitioners namely Tanab Ali S/O Nawab Ali and Nadeem Ali S/O Nangeen Ali R/O Qaum Mani Khel, Tappa Terai, village Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No.35, Dated: 09.04.2023 U/S 506,148, 149 PPC, PS Kalaya, Orakzai.

Perusal of record reveals that offence with which accused/petitioners are 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. No empty has been recovered from the spot. Nothing incriminating has been recovered from possession of accused or on his pointation. Source of information regarding the involvement of accused in the commission of the offence has not been disclosed. Co-accused have already been released on bail. Investigation has already


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ZAHIR KHAN
 Civil Judge, JM
 Kalaya Orakzai

been completed and accused/petitioners are 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. Petitioners 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. Requisitioned record be returned back to quarter concerned.

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

ANNOUNCED:
11.07.2023



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai