

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

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Bail Petition ..... 65/4 of 2023.  
Date of institution.....22.07.2023.  
Date of decision.....24.07.2023

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**Order.No.02**  
**24.07.2023**


Dy.PP for the state present. Assistant of counsel for accused/petitioners present. Record received. Complainant present and stated that he has got no objection if accused/petitioners are released on bail.

Statement of complainant Musa Khan recorded wherein, he stated that he has got no objection on release of accused/petitioners on bail. Statement of complainant separately recorded which is duly thumb impressed by him. Copy of his CNIC is Ex.PA.

Arguments heard and record perused.

Accused/petitioners namely Muhammad Alhaj, Nazeem Khan and Wajid Ullah Ss/O Bismillah Khan all R/O Qaum Feroz Khel, Tappa Qasim Khel, Tehsil Lower, District Orakzai are seeking their post arrest bail in case FIR No.69, Dated: 12.07.2023 U/S 506/34 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

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

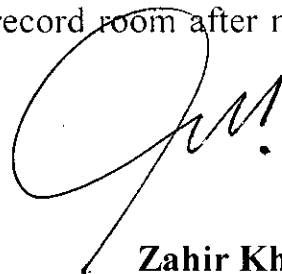
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rule. Nothing incriminating has been recovered from possession of accused or on their pointation. Complainant has got no objection on release of accused/petitioners on bail. Investigation has already been completed and accused/petitioners are no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioners 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 returned back to the quarter concerned.

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

**ANNOUNCED:**  
**24.07.2023**



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