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

Bail Petition69/4 of 2023.

Date of institution.....05.08.2023.

Date of decision.....07.08.2023.

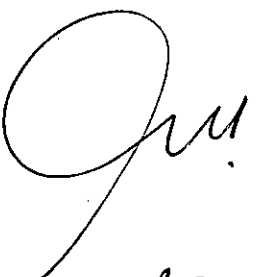
Mr. Insaf Ali Advocate counsel for accused/petitioner,
Dy.PP for the state.

Order.02
07.08.2023

Dy. PP for the state present. Counsel for accused/petitioner present. Record received. Arguments heard and record perused.

Accused/petitioner namely Hayat Wali S/O Muhammad Hanif R/O Qoam Utman Khel, Kata Panra, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.72 dated: 22.07.2023 U/S 15-AA Police Station Kalaya, District Orakzai.

Record shows that the 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 extra ordinary circumstances exist to justify departure from this rule. Accused/petitioner has not confessed his guilt before the court. No FSL or arms expert report is placed on file. 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.



07/08/2023
ZAHIR KHAN
Civil Judge JM
Kalaya Orakzai

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Resultantly, 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. File of this court be consigned to record room after necessary completion and compilation while record be returned back to the quarter concerned.

ANNOUNCED:
07.08.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai