

In the court of Judicial Magistrate - I, Kalaya, Orakzai.

Bail petition: _____ 74/4 of 2023

Date of institution: _____ 19/08/23

Date of decision: _____ 21/08/23

01-02

21/8/2023

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

Accused/petitioner namely shakeel Ahmad s/o Gul Bat sher R/O Gaum Mishti, Tappa Darug Khel, Shalrara, District Orakzai is seeking his post arrest bail in case FIR no. 29 Dated 11/8/2023 u/s 11-A CNSA and 15-AA, PS Mishti Mela, Orakzai.

Record shows that offence u/s 15-AA is bailable while punishment for offence u/s 11-A CNSA 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 is an

exception. no extra ordinary circumstances exist to justify the departure from the said rule.

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

21/08/2023

There is no criminal history of accused/petitioner. There is nothing on record which could show that accused/petitioner is previous convict in such like cases. Accused/petitioner has not confessed his guilt before the court. FSL report is not placed on file. Investigation has already been completed and accused/petitioner is no more required to the local police for investigation.

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 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. The requisitioned record be sent back to quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED

21/08/2023



ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

21/08/2023