


**IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI****Bail Petition ..... 86/4 of 2023.****Date of institution.....16.09.2023.****Date of decision.....18.09.2023.****Mr. Sana Ullah Advocate, counsel for accused/petitioner, Dy.PP for the state****Order.02**  
**18.09.2023**

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

Accused/petitioner namely Mir Hassan Jan S/O Syed Hanif Shah R/O Ustarzai, District Kohat is seeking his post arrest bail in Case FIR No.89 dated: 01.09.2023 U/S 11-A CNSA, 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 is an exception. 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.



18/09/2023  
ZAHIR KHAN  
Civil Judge/JM  
Kalaya Orakzai

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

**ANNOUNCED:**  
**18.09.2023**



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