

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE -I TEHSIL
KALAYA, DISTRICT ORAKZAI**


Bail Petition90/4 of 2023.
Date of institution.....26.09.2023.
Date of decision.....27.09.2023

Order.02
27.09.2023

None present for the state. Clerk of counsel for accused/petitioner present. Representative of complainant, Additional Assistant Commissioner Muhammad Rafeeq, Kalaya lower Orakzai present. He opted not to engage private counsel. Written arguments on behalf of counsel for accused/petitioner submitted, record received and perused.

Accused/petitioner namely Arbab Khan S/O Zareef Khan R/O Qaum Mandra Khel, Tappa Madad Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No.92 dated: 22.09.2023 U/S 506, 353 PPC, Police Station Kalaya, District Orakzai.

Record shows that the offences with which accused/petitioner is charged do 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 exception. No extra ordinary circumstances exist to justify departure from the said rule. Nothing incriminating has been

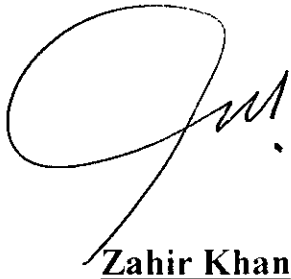

27/09/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

recovered from possession of accused or on his pointation. Accused/petitioner has not confessed his guilt before the court. 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.

Consequently, 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.

ANNOUNCED:
27.09.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai