

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

Bail Petition91/4 of 2023.
Date of institution.....27.09.2023.
Date of decision.....02.10.2023

Order.03
02.10.2023

APP for the state present. Counsel for accused/petitioners present.
Representative of complainant present. He opted not to engage
private counsel. Attested record received. Arguments heard and
case file perused.

Accused/petitioners namely Ghazi Gul S/O Naseeb Gul,
Ghameen Gul S/O Khana Gul and Abdul Salam S/O Naseeb Gul all
R/O Qaum Stori Khel, Tehsil Lower, District Orakzai are seeking
their post arrest bail in case FIR No.93 dated: 25.09.2023 U/S 506,
186,189/34 PPC, Police Station Kalaya, District Orakzai.

Record shows that the offences with which
accused/petitioners are 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 recovered from possession of accused or on
their pointation. Accused/petitioners have not confessed their guilt



02/10/2023

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

before the court. 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.

Consequently, application in hand is allowed. Petitioners 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:
02.10.2023


Zahir Khan
JMIC-I, Kalaya, Orakzai