

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

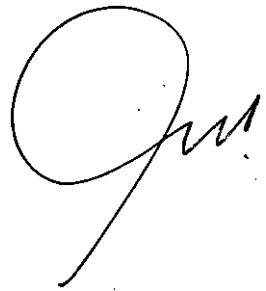
Bail Petition92/4 of 2023.
Date of institution.....27.09.2023.
Date of decision.....02.10.2023

Order.03
02.10.2023

APP for the state present. Counsel for accused/petitioner present.
Representative of complainant present. He opted not to engage
private counsel. Record already received. Arguments heard and
record perused.

Accused/petitioner namely Khawas Khan S/O Miyab Gul
R/O Qaum Stori 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
recovered from possession of accused or on his pointation.
Accused/petitioner has not confessed his guilt before the court. Co-
accused has already been released on bail, therefore,



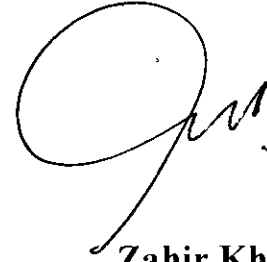
02/10/2023
ZAHIR KHAN
Civil Judge (JM)
Kalaya Orakzai

accused/petitioner is entitled to concession of bail on the basis of rule of consistency. 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:
02.10.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai