

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


Bail Petition97/4 of 2023.
Date of institution.....07.10.2023.
Date of decision.....10.10.2023

Order.02
10.10.2023

APP for the state present. Counsel for accused/petitioner present.
Record is already before the court in connection with trial of
accused/petitioner. Arguments heard and case file perused.

Accused/petitioner namely Syed Irtiza Hassan S/O Syed
Ameen Shah R/O Qaum Kalaya Saidan, Tehsil Lower, District
Orakzai is seeking his post arrest bail in case FIR No.50 dated:
11.05.2023 U/S 506,353, 186, 189 PPC & 3/4 AFA, 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. No
empty has been recovered from the spot. Accused/petitioner has
not confessed his guilt before the court. Investigation has already

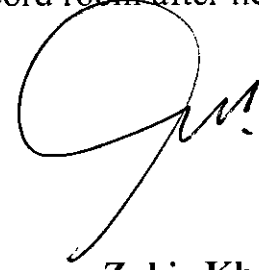

10/10/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

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:
10.10.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai