

**IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI**

**Bail Petition ..... 99/4 of 2023.**

**Date of institution.....07.10.2023.**

**Date of decision.....10.10.2023.**

Mr. Sana Ullah Advocate, counsel for accused/petitioner, APP for the  
state


**Order.02**  
**10.10.2023**

APP for the state present. Counsel for accused/petitioner present.

Record received. Arguments heard and case file perused.

Accused/petitioner namely Syed Irtiza Hassan S/O Syed Ameen Shah R/O Kalaya Saidan, Tehsil Lower, 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. Co-accused have already been released on bail, therefore, rule of consistency also applies to the case of accused/petitioner. Investigation has already been completed and

  
10/10/2023  
ZAHIR KHAN  
Counsel for accused/petitioner  
Orakzai

accused/petitioner is no more required to the local police for investigation.

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:**  
**10.10.2023**



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