

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

Bail Petition 101/4 of 2023.

Date of institution.....17.10.2023.


Date of decision.....18.10.2023.

Order.02
18.10.2023

Assistant of counsel for accused/petitioner present. Attested W/N submitted. Record received. Written arguments on behalf of counsel for accused/petitioner submitted. Case file perused.

Accused/petitioner namely Jameel Khan S/O Lal Badshah R/O Qaum Mishti Tappa Darway Khel, Tehsil Central, Orakzai is seeking his post arrest bail in Case FIR No.42 dated: 16.10.2023 U/S 11-A CNSA, Police Station Mishti Mela, 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 exception. No extra ordinary circumstances exist to justify departure from the said rule. 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. No FSL report is placed on file. Investigation has already been completed and accused/petitioner is no more required to the local police for investigation.


18/10/2023
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

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:
18.10.2023



Zahir Khan
JMIC-I, Kalaya, Orakzai