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IN THE COURT OF SENIOR CIVIL JUDGE/JUDICIAL MAGISTRATE,
ORAKZAI

Bail Petition 2/4 of 2024.

Date of institution.....04.01.2024.

Date of decision.....09.01.2024.

Order.No.04
09.01.2024

Sr. PP for the state present. Complainant in person present.

Arguments already heard and record perused.

Accused/petitioner namely 1. **Naqeeb Ali** S/O Zreef Khan and
2. **Muhammad Ayaz** S/O Jang Ali both R/O Qaum Mani Khel, Tappa
Sabora Khel, Tehsil Lower, District Orakzai are seeking their post
arrest bail in case FIR No.113 dated: 18.12.2023 U/S 337-A(i), F(v),
354/34 PPC, Police Station Kalaya, District Orakzai.

Offences U/S 337-A(i) and 354, PPC areailable in nature
while punishment for offence U/S 337-F(v) PPC 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. On the face of
the record, there exists no exceptional circumstances to clog the way
of grant of bail to accused/petitioners. There is no criminal history of
accused/petitioners as per available record. Similarly, there is nothing
on record which could show that accused/petitioners are previously
convict or habitual, hardened, desperate or dangerous criminals.
Participation of accused/petitioners in the commission of the offence

BAKHIZADA
Senior Civil Judge/JM
Orakzai
Mela

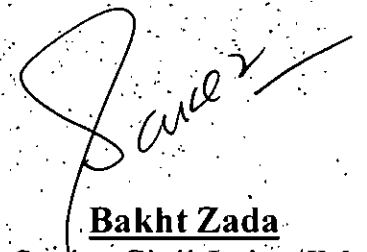
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is to be determined during trial. Investigation has already been completed and accused/petitioners are no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioners behind the bar.

Consequently, application in hand is allowed. Petitioners be released on bail subject to furnishing bail bonds in the sum of Rs. 90,000/- (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. Record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
09.01.2024


Bakht Zada
Senior Civil Judge/JM,
Orakzai