

**Order.03**

**14.11.2022**

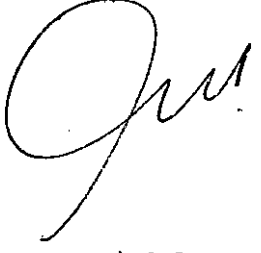
APP for the state present. Counsel for accused/petitioner present.

Record already received. Arguments heard and case file perused.

Accused/petitioner namely Shah Muhammad S/O Khayal Muhammad, R/O Qaum Malak Din Khel, Afridi, Lerri, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.99 dated: 08.10.2022 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. Furthermore, accused/petitioner was committed to judicial lock-up on 10.10.2022 but complete/interim challan has not been put in court so far despite lapse of statutory period U/S 173 Cr. PC. Investigation has already been completed and 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

  
14/11/2022  
ZAHIR KHAN  
Civil Judge/JM  
Kalaya Orakzai

forthwith, while file of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**14.11.2022**



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