

**Order.02**  
**19.12.2022**

APP for the state present. Counsel for accused/petitioners present. Record received. Arguments heard and case file perused.

Accused/petitioners namely Abdul Hameed S/O Mewa Khan and Muhammad Anas S/O Abdul Hameed both R/O Qaum Malak Din Khel, District Khyber are seeking their post arrest bail in Case FIR No.49 dated:14.12.2022 U/S 15AA/17AA, Police Station Mishti Mela, District Orakzai.

The offences with which the accused/petitioners are 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 an exception. No extra ordinary circumstances exist to justify the departure from the said rule. Accused have not confessed their guilt before the court. Per record, accused petitioner Abdul Hameed is 62/63 years old. There is no criminal history of accused petitioners. 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. 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:**  
**19.12.2022**



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