

Order.03
01.07.2022

Learned counsel for accused/petitioner present. Complainant absent despite service. Record already received. Arguments heard and record gone through.

Accused/petitioner namely Gul Zaman S/O Misri Khan is seeking his post arrest bail in case FIR No.60, Dated:13.06.2022 U/S 506, 427, 34, 447, 148, 149 PPC, PS Kalaya, Orakzai.

Perusal of record reveals that the alleged occurrence took place on 12.06.2022 at 1300 hours and it was reported to the local police on 12.06.2022 at 1600 hours. Case was registered on 13.06.2022. There is unexplained delay in lodging of report. Offences with which accused/petitioner is 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 are available on record for refusing bail of accused/petitioner. There is no criminal history of accused/petitioner as per available record. Similarly, there is nothing on record which could show that accused/petitioner is previously convict or habitual, hardened, desperate or

dangerous criminal. Participation of accused/petitioner in the commission of the offence is to be determined during trial, therefore, case of accused/petitioner requires further inquiry. Investigation has already been completed and accused/petitioner is no more required to the local police for



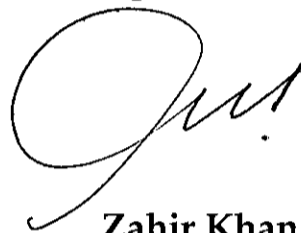
01/07/2022

ZAHIR KHAN
Civil Judge
Kalaya Orakzai

further investigation and no useful purpose would be served by keeping the accused/petitioner behind the bar.

Resultantly, application in hand is allowed. Petitioner be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- with two reliable 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 sent back to the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
01.07.2021



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai