

Order.02
01.08.2022

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Neither complainant nor his counsel present. None present for the state. Record already received. Arguments on behalf of counsel for accused/petitioners already heard and record gone through.

Accused/petitioners namely Haji Ullah S/O Naseeb Khan, Muhammad Ullah S/O Ali Majan and Zar Khan S/O Starzay are seeking their post arrest bail in case FIR No.15, Dated:15.07.2022 U/S 506, 109/34 PPC, PS Kurez, Orakzai.

Record shows that the alleged occurrence took place on 29.05.2022 at 11:00 hours and it was reported to the local police on 08.07.2022 vide Mad No. 04 dated 08.07.2022 and case was registered against accused/petitioners on 15.07.2022. There is an unexplained delay of more than a month in lodging of report. No empty has been recovered from the spot. Offences with which 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 are available on record for refusing bail 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.

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01/08/2022
ZAHIR KHAN
Civil Judge JM
Kalaya Orakzai

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Resultantly, application in hand is allowed. Accused/petitioners 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:

01.08.2021



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai