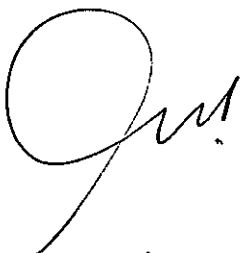


Order.02
10.09.2022

None present for the state. Counsel for accused/petitioner present. Complainant absent despite service. Complainant is charged and absconding in cross case registered vide FIR No. 52, dated 20.05.2022, U/S 506, 148, 149 PPC, PS Kalaya. Record received. Arguments heard and case file perused.

Accused/petitioner namely Liaqat Ali S/O Yar Zali R/O Qaum Bezote, Tappa Khair Kali Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.51 dated: 20.05.2022 U/S 506, 148, 149 PPC, Police Station Kalaya, District Orakzai.

Perusal of record reveals that occurrence took place on 13.05.2022 and it was reported to the local police on 14.05.2022. FIR was registered on 20.05.2022. There is unexplained delay in lodging of FIR. 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. No extra ordinary circumstances exist for refusing bail of accused/petitioner. No empty shell has been recovered from the spot. Accused has not confessed his guilt before the court. There is a cross case wherein the accused/petitioner is complainant. Which party is the aggressor, it would be determined during course of trial. Investigation has already been completed and accused/petitioner is no more required to the local police for further investigation and no


10/09/2022
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

useful purpose would be served by keeping the accused/petitioner behind the bar.

Consequently, 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 retained as it has been entered and fixed for statement of SW. File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
10.09.2022



Zahir Khan
JMIC-I, Kalaya, Orakzai