

Order.02
17.10.2022

Case file received from the court of Learned JMIC-II Kalaya. Be entered.

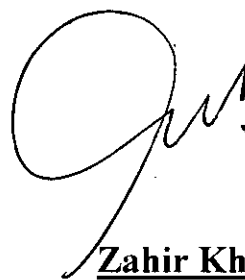
APP for the state present. Counsel for accused/petitioner present. Record received. Arguments heard and case file perused.

Accused/petitioner namely Nekmal Hussain S/O Raqib Ali R/O Qaum Mani Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in Case FIR No.102 dated: 13.10.2022 U/S 15AA, Police Station Kalaya, District Orakzai.

The offence with which the 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 extraordinary circumstances exist to justify the departure from the said rule. Accused has not confessed his guilt before the court. No FSL or arm expert report is placed on file. There is no criminal history of accused/petitioner. Investigation has already been completed and accused/petitioner is no more required to the local police for further investigation and no 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. File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
17.10.2022



Zahir Khan
JMIC-I, Kalaya, Orakzai