

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE-I TEHSIL  
KALAYA, DISTRICT ORAKZAI**

Bail Petition .....7/4 of 2024.

Date of institution.....02.04.2024.

Date of decision.....03.04.2024.

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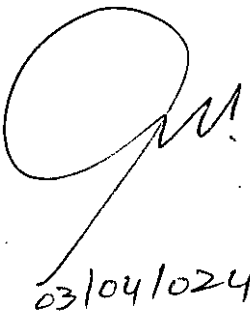
Order.02

03.04.2024

Nephew of accused/petitioners namely Hashmat Ullah present. Complainant is behind the bar in cross version occurrence. Attested W/N along with written arguments submitted. Record received. Counsel for the both the parties communicated that both the bail petitions may be disposed of on the basis of available record.

Accused/petitioners namely (1) Sultan Akbar S/O Meer Akbar and (2) Abdul Ghafoor S/O Yousaf Khan both R/O Qaum Mishti village Injkhel, Tehsil Lower, District Orakzai are seeking their post arrest bail in case FIR No.13, cross version recorded vide mad No. 18 Dated: 31.03.2024 U/S 506, 427/34 PPC & 15-AA, PS Mishti Mela, Orakzai.

Perusal of record reveals that offences u/s 427 PPC & 15-AA are bailable while the punishment for offence u/s 506 PPC 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

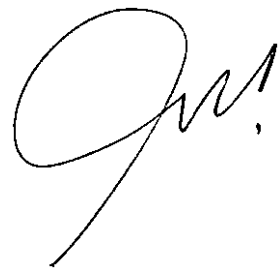


03/04/2024  
**ZAHIR KHAN**  
Civil Judge/JM  
Kalaya Orakzai

exception. No extra ordinary circumstances are available on record which could justify departure from the said rule. No empty has been recovered from the spot. Participation of accused/petitioners in the commission of the offence is to be determined during trial, therefore, case of accused/petitioners requires further inquiry. 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.

Resultantly, application in hand is allowed. 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:**  
**03.04.2024**



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