

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

Bail Petition8/4 of 2024.
Date of institution.....03.04.2024.
Date of decision.....03.04.2024.

Order.01
03.04.2024

Fresh bail petition submitted. Be entered. Cousin of accused/petitioners namely Asif present. Complainant is behind the bar in cross version occurrence. Record is already before the court in connection with connected bail petition No. 7/4. 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) Fayaz Khan S/O Sharbat Khan and (2) Janat Mir S/O Saif Ullah Khan both R/O Qaum Mishti, Tehsil Lower, District Orakzai are seeking their post arrest bail in case FIR No.13, Dated: 31.03.2024 U/S 506, 427/34 PPC & 15-AA, PS Mishti Mela, Orakzai.


03/04/2024
ZAHIR KHAN
Civil Judge/JM
Kalaya 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 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 which makes case of the accused/petitioners one of 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