

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

Bail Petition15/4 of 2024.

Date of institution.....24.04.2024.

Date of decision.....25.04.2024.

Order.02
25.04.2024

None present for the state despite service. Father of accused/petitioner namely Mushtaq Ali present. Record received. Written arguments on behalf of counsel for accused/petitioner submitted and case file perused.

Accused/petitioner namely Ammar Abbas S/O Mushtaq Ali R/O Qaum Mani Khel, Tappa Amat Khel, Tehsil Lower, District Orakzai is seeking his post arrest bail in case FIR No.50 dated: 11.05.2023 U/S 506,353, 186, 189 PPC & 3/4 AF, Police Station Kalaya, District Orakzai.

Record shows that the offences with which accused/petitioner is 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 exception. No extra ordinary circumstances exist to justify departure from the said rule. Nothing incriminating has been recovered from possession of accused or on his pointation. No empty has been recovered from the spot. Accused/petitioner has not

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

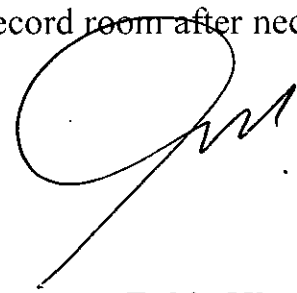
25/04/24

confessed his guilt before the court. Co-accused namely Syed Irtiza has already been released on bail by this court vide order dated: 10.10.2023, therefore, accused is also entitled to post arrest bail on the basis of rule of consistency. 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. Record be returned back to quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
25.04.2024



Zahir Khan
JMIC-I, Kalaya, Orakzai