

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

Bail Petition21/4 of 2024.

Date of institution.....16.05.2024.

Date of decision.....20.05.2024

Order – 04
20.05.2024


APP for the state present. Learned counsel for accused/petitioners present. Complainant absent. Application for adjournment on behalf of complainant submitted. As arguments of counsel for complainant and APP for the state already heard, therefore, application for adjournment is turned down. Arguments of counsel for accused/petitioners heard today and record perused.

Accused/petitioners namely Musawir Ali S/O Jamal Hussain and

Adnan Raza S/O Imtiaz Ali both R/O Qoum Mani Khel, Tappa Mast Ali Khel, Tehsil Lower, District Orakzai are seeking their post arrest bail in case FIR No.31 dated: 10.05.2024 U/S 506, 337-A(i), 337-F(i), 337-L(ii), 148, 149 PPC & 15-AA, PS Kalaya, Orakzai.

Perusal of record shows that offences with which accused/petitioners are charged do not fall within the ambit of prohibitory clause of Section 497 Cr.P.C. In such like cases grant of bail is a rule and refusal is exception. No extraordinary circumstances exist to justify departure from the said rule. Per record, there is no criminal history of accused/petitioners. Similarly, there is nothing on record which could show that accused/petitioners are previously convicted or habitual, hardened, desperate or dangerous criminals. Per medical reports, all the injuries on the

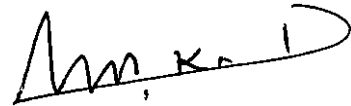
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai


20/05/2024

persons of victims are simple in nature. There is also a cross version of the occurrence. Case of accused/petitioners is 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. Accused/petitioners be released on bail subject to furnishing bail bonds in the sum of Rs. 50,000/- (Fifty thousand) 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:
20.05.2024



Zahir Khan
Judicial Magistrate-I,
Tehsil Kalaya, Orakzai