

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE-I TEHSIL
KALAYA, DISTRICT ORAKZAI****Bail Petition32/4 of 2024.****Date of institution.....07.06.2024.****Date of decision.....08.06.2024**

Mr. Shakeel Khan Advocate, counsel for accused/petitioners, Mr. Sana Ullah Khan Advocate, counsel for complainant, Complainant Asghar Khan, APP for the state

Order – 02
08.06.2024

APP for the state present. Learned counsel for accused/petitioners present. Complainant through Mr. Sana Ullah Advocate present. W/N in favor of Mr. Sana Ullah Advocate on behalf of complainant submitted. Record received. Arguments heard and record perused.

ZAHIR KHAN
Civil Judge, JM
Kalaya Orakzai

Accused/petitioners namely Arif Ullah S/O Sultan Muhammad and Muhammad Hayat S/O Ain Ullah both R/O Sultan Zai, District Orakzai are seeking their post arrest bail in case FIR No.35 dated:

05.05.2024 U/S 506, 337-A(i), 148, 149 PPC 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 an exception. No extraordinary circumstances exist to justify departure from the said rule. No empty has been recovered from the spot. No specific role has been attributed to the accused/petitioners. Per record, there is no criminal history of accused/petitioners. Similarly, there is

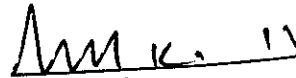
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08/06/2024

nothing on record which could show that accused/petitioners are previously convicted or habitual, hardened, desperate or dangerous criminals. Per medical report, Injury on the persons of victim is simple in nature. 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:

08.06.2024



Zahir Khan
Judicial Magistrate-I,
Tehsil Kalaya, Orakzai

08/06/2024