

IN THE COURT OF JUDICIAL MAGISTRATE-I, KALAYA, ORAKZAI

Bail Petition 35/4 of 2024.

Date of institution.....10.06.2024.

Date of decision.....11.06.2024.

Mr. Asad Ijaz Advocate, counsel for accused/petitioner & APP
for the state

Order.02
11.06.2024

APP for the state present. Counsel for accused/petitioner present.

Record received. Arguments heard and record perused.

Accused/petitioner namely Muhammad Islam S/O Said Muhammad R/O Qaum Stori Khel, Chaman Jana, Lower Orakzai is seeking his post arrest bail in case FIR No.38 dated: 22.05.2024 U/S 11-A CNSA, Police Station Kalaya, District Orakzai.

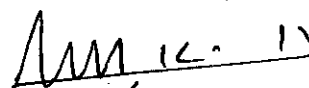
Record shows that the offence with which accused/petitioner is charged does not fall within the ambit of prohibitory clause of Section 497 Cr. PC. In such like cases grant of bail is a rule and refusal an exception. No extra ordinary circumstances exist to justify departure from the said rule. There is no criminal history of accused/petitioner. Accused/petitioner is behind the bar since 22.05.2024 and till date no FSL report is received and placed on file and whether the recovered substance is ICE or not will be determined during trial. Investigation has already been completed and accused/petitioner is no more required to the local police for investigation.

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

AMM
11/06/2024

Resultantly, 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. The requisitioned 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:
11.06.2024



Zahir Khan
JMIC-I, Kalaya, Orakzai
111061024