

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

Bail Petition39/4 of 2024.
Date of institution.....24.06.2024.
Date of decision.....25.06.2024.

Order.02
25.06.2024

APP for the state present. Complainant absent despite service. Written arguments on behalf of counsel for accused/petitioner submitted and placed on file. Record received. Arguments of APP for the state heard and record perused.

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Accused/petitioner namely Aman Ullah S/O Afsar Khan R/O Qaum Mishti, Tappa Mamezai, District Orakzai is seeking his post arrest bail in case FIR No.13, Dated: 31.03.2024 U/S 506, 427/34 PPC & 15-AA, PS Mishti Mela, Orakzai.

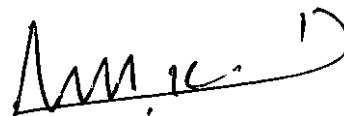
ZM
25/06/24

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/petitioner one of further inquiry. Co-accused

namely Fayaz Ali and Janat Meer with similar role have already been released on post arrest bail vide order dated 03.04.2024, therefore, role of consistency apply to the case of accused/petitioner. 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.

Resultantly, application in hand is allowed. Petitioner 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:
25.06.2024



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai