

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

Bail Petition 40 /4 of 2024.
 Date of institution.....28.06.2024.
 Date of decision.....29.06.2024

Mr. Sana Ullah Khan Advocate, counsel for accused/petitioners
APP for the state

Order.No.02
29.06.2024

APP for the state present. Counsel for accused/petitioners present. Complainant absent despite service. Record received. Arguments heard and record perused.

Accused/petitioners namely Iftikhar Ali, Qasid Ali, Noor Nabi,

ZAHIR KHAN
Civil Judge, JM
Kalaya Orakzai

Amil Nabi, Aeen Hassan and Dildar Ali are seeking their post arrest bail in FIR No. 31 dated: 10.05.2024 U/S 337 A(i), 337 F(ii), 337 L(i), 147, 149 PPC, Police Station Kalaya, District Orakzai.

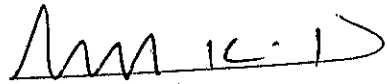
Offences u/s 337-A(i), 337-L(i), 147, 149 PPC are bailable in nature while punishment for offence u/s 337-F(ii) does not fall within the ambit of prohibitory clause of section 497 Cr.PC. In such like cases grant of bail is a rule and refusal an exception. No extraordinary circumstances exist to justify departure from the said rule. Nothing incriminating has been recovered from possession of the accused or on their pointation. No specific role has been attributed to the accused/petitioners. The 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

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further investigation and no useful purpose would be served by keeping the accused/petitioners behind the bar.

Consequently, application in hand is allowed. Petitioners 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:
29.06.2024



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai