

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

Bail Petition ..... 67 /4 of 2024.  
Date of institution.....19.08.2024.  
Date of decision.....20.08.2024.

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**Order.02**  
**20.08.2024**

APP for the state present. Assistant of counsel for accused/petitioner is present. Complainant absent despite service. Record received. Written arguments along with application for insertion of sections 148, 149 PPC in bail application on behalf of accused/petitioner submitted. Application is allowed. Muharrir is directed to do the needful. Arguments of APP for the state heard and case file perused.

ZAHIR KHAN  
Civil Judge/JM  
Kalaya Orakzai  
20/08/2024

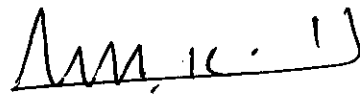
Accused/petitioner namely Mobeen Khan S/O Sharab Din R/O Qaum Qamar Khel, Tappa Khwaidad Khel, presently residing at Sultan Zai, District Orakzai is seeking his post arrest bail in case FIR No.35 (Mad No. 6 cross version) dated: 15.05.2024 U/S 506, 504, 148, 149 PPC, Police Station Kalaya, District Orakzai.

Perusal of record reveals that the offences u/s 504 PPC is bailable while 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 an exception. No extra ordinary

circumstances exist for refusing bail of accused/petitioner. Accused/petitioner is not nominated in the first report by the complainant rather he was later on, charged in supplementary statement. Case of accused/petitioner is one of further inquiry. 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.

Consequently, 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 quarter concerned forthwith. File of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
20.08.2024



**Zahir Khan**  
JMIC-I, Kalaya, Orakzai