

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


Bail Petition68/4 of 2024.
Date of institution.....26.08.2024.
Date of decision.....27.08.2024.

Order.No.03
27.08.2024

APP for the state present. Complainant SI Muhammad Younas absent. Counsel for accused/petitioner present. Supplementary record received. Arguments heard and record perused.

Accused/petitioner namely Ahmad Shah S/O Sahib Shah R/O Qaum Mishti, Tappa Darway Khel, Tehsil Central, District Orakzai is seeking his post arrest bail in case FIR No.18 dated: 04.06.2023 U/S 324, 341, 225, 186, 189, 427, 504, 147, 149 PPC, Police Station Mishti Mela, District Orakzai.

ZAHIR KHAN
Civil Judge, JM
Kalaya Orakzai


27/08/2024

Although, accused/petitioner is directly and by name nominated in the FIR and the punishment for the offence for which the accused/petitioner is charged, falls within the ambit of prohibitory clause of Section 497 Cr. PC but it is a case of in effective firing with no specific role. Co-accused with similar role have already be acquitted by the court of learned JM-II, Kalaya Orakzai u/s 249-A Cr. PC vide order dated 26.06.2024. Nothing incriminating has been recovered from possession of

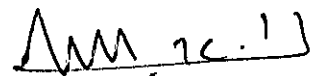
accused/petitioner or on his pointation. Case of the accused/petitioner is one of further inquiry. Investigation has already been completed. Accused/petitioner is no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioner behind 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. Record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:

27.08.2024



Zahir Khan
JMIC-I, Tehsil Kalaya,
Orakzai