

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

Bail Petition 70/4 of 2024.

Date of institution.....28.08.2024.

Date of decision.....30.08.2024.

Order.03
30.08.2024

APP for the state present. Counsel for accused/petitioner present.
Record received. Attested W/N submitted. Arguments heard and case file perused.

Accused/petitioner namely Hazrat Ullah S/O Khail Zada R/O Qaum Esa Khel, Tehsil Central, Orakzai is seeking his post arrest bail in case FIR No.51 dated: 27.08.2024 U/S 11-A CNSA, Police Station Mishti Mela , District Orakzai.

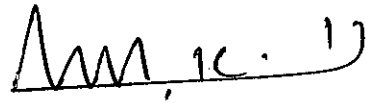
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

M. K.
30/08/24

Record shows that accused/petitioner is charged for offence u/s 11-A CNSA after recovery of 15 grams ice from his possession. 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. Neither the copy of application for FSL nor the FSL report is placed on file, and it will be determined during trial whether the recovered substance is ice or not? Investigation has already been completed and accused/petitioner is no more required to the local police for investigation.

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:
30.08.2024



Zahir Khan
JMIC-I, Kalaya, Orakzai