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

Bail Petition 71/4 of 2024.
Date of institution.....29.08.2024.
Date of decision.....29.08.2024.

Order.04
29.08.2024

Bail petition received from the court of learned JMIC-II, Kalaya.

Be entered.

None present for the state. Complainant also absent despite service on previous date. Cousin of accused/petitioner namely Tasweer Ali along with Assistant of counsel for accused/petitioner present. Record received. Written arguments on behalf of counsel for accused/petitioner submitted and record perused.

ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Accused/petitioner namely Tazeem Ali S/O Khial Jan Ali R/O Zera, Qaum Mani Khel, Terai, Orakzai is seeking his post arrest bail in case FIR No.35, Dated: 30.05.2024 U/S 380, 457/34 PPC, PS Kurez Boya.

Perusal of record would reveal that the alleged occurrence took place on 18.05.2024 and it was reported on 28.05.2024 through a written application by complainant. FIR was registered on 30.05.2024. There is un-explained delay in report and registration of the FIR. It is a night occurrence and source of information regarding involvement of accused/petitioner in commission of the offence has not been disclosed by the complainant. Furthermore, nothing incriminating has been recovered from possession of accused/petitioner or on his pointation despite one day physical remand of the accused/petitioner. Accused has

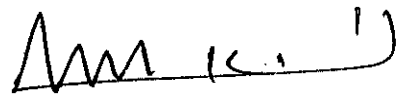
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not confessed his guilt before the police or before the court. Case of accused/petitioner is one of further inquiry. Investigation has already been completed and accused/petitioner is no more required to the local police for investigation and no useful 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. Sureties must be local, reliable and men of means. Copy of this order be placed on police as well as judicial record. 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:
29.08.2024



Zahir Khan
Judicial Magistrate-I/MOD,
Kalaya, Orakzai