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

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Bail Petition ..... 47 /4 of 2024.  
 Date of institution.....04.07.2024.  
 Date of decision.....09.07.2024

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**Order.No.03**  
**09.07.2024**

APP for the state present. Mr. Asad Ijaz Advocate present on behalf of counsel for accused/petitioners. Written arguments already submitted. Complainant absent despite fresh notice. Record already received. Arguments heard and record perused.

**ZAHIR KHAN**  
**Civil Judge/JM**  
**Kalaya Orakzai**

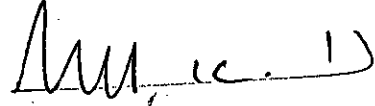
Accused/petitioners namely Malik Imtiaz Ali and Gul Taj Ali are seeking their post arrest bail in FIR No. 31 dated: 10.05.2024 U/S 337-A(i), 337-F(i), 337-F(ii), 147, 149 PPC, PS Kalaya, District Orakzai.

Offences u/s 337-A(i), 337-F(i) 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 extra ordinary circumstances exist to justify departure from the said rule. Co-accused namely Musawir Ali and Adnan Raza have already been released on post arrest bail by this court vide order dated 20.05.2024, therefore, accused/petitioners are also entitled to the concession of bail on the basis of rule of consistency. Investigation has already been completed and accused/petitioners are no more required to the local police for further investigation and no useful purpose would be served by keeping the accused/petitioners behind the bar.

  
 09/07/2024

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:**  
**09.07.2024**



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