

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

**Bail Petition ..... 55/4 of 2024.**

**Date of institution.....24.07.2024.**


**Date of decision.....27.07.2024.**

Order 03  
27.07.2024

APP for the state present. Brother of accused/petitioner present. Complainant absent. Record received. Written arguments on behalf of counsel for accused/petitioner already submitted. Arguments of APP for the state also heard and record perused.

Accused/petitioner namely Ameen Ullah S/O Muhammad Khan R/O Qaum Mishti, Tappa Darway Khel, Tehsil Central, District Orakzai is seeking his post arrest bail in case FIR No.26 (mad No. 22) dated: 20.05.2024 U/S 506, 337-L(ii), 148, 149 PPC, PS Mishti Mela, Orakzai.

ZAHIR KHAN  
Civil Judge/JM  
Kalaya Orakzai

  
27/07/2024

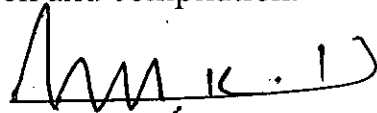
Offence u/s 337-L(ii) PPC is bailable while punishment for offence u/s 506 PPC does not fall within the ambit of prohibitory clause of section 497 Cr.PC. In such like cases grant of bail is a rule and refusal an exception. No extra ordinary circumstances exist to justify departure from the said rule. No empty has been recovered. Nothing incriminating has been recovered from possession of the accused or on his pointation. No specific role has been attributed to the accused/petitioner. Co-accused have already been released on post arrest bail by this court vide order dated 05.07.2024, therefore,

accused is also entitled to concession of bail due to rule of consistency. Furthermore, 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 the quarter concerned forthwith, while file of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**

**27.07.2024**



**Zahir Khan**

JMIC-I, Tehsil Kalaya,  
Orakzai