

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

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Bail Petition ..... 62 /4 of 2024.  
Date of institution.....12.08.2024.  
Date of decision.....13.08.2024

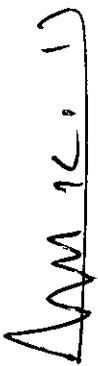
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**Order.No.02**  
**13.08.2024**

APP for the state present. Clerk of counsel for accused/petitioner present. Complainant is absent despite service. Record received. Written arguments of counsel for accused/petitioner already submitted. Arguments of APP for the state heard and record perused.

Accused/petitioner namely Noor Wali S/O Wajid Ali R/O Qaum Sepoy, Tehsil, Lower Orakzai is seeking his post arrest bail in FIR No. 03 dated: 02.02.2023 U/S 337-F(i), 337-F(ii), 506/34 PPC, Police Station Kurez Boya, District Orakzai.

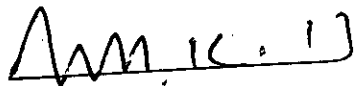
Perusal of record shows that offences with which accused/petitioner is charged do not fall within the ambit of prohibitory clause of section 497 Cr.PC. In such like cases grant of bail is a rule and refusal an exception. No extra ordinary circumstances exist to justify departure from the said rule. Nothing incriminating has been recovered from possession of the accused or on his pointation. Co-accused namely Tehzeeb Ali has already been acquitted by the court of learned Judicial Magistrate-I, Orakzai at Baber Mela on the basis of compromise vide order dated 16.05.2023. Complainant does not seem to be interested in prosecution of the

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

case. 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/petitioners 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:**  
**13.08.2024**



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