

**IN THE COURT OF ZAHIR KHAN, JUDICIAL MAGISTRATE-I TEHSIL
KALAYA, DISTRICT ORAKZAI**

Bail Petition 81 /4 of 2024.
 Date of institution.....18.09.2024.
 Date of decision.....19.09.2024.

Order.02
19.09.2024

None present for the state. Counsel for accused/petitioner present.
 Complainant present. He opted not to engage private counsel. He
 stated that he has got no objection if bail petition of
 accused/petitioner is disposed of today on merits. He was heard.
 Record received. Arguments heard and case file perused.

Accused/petitioner namely Esa Khan S/O Khushal Gul R/O
 Zakha Khel, District Khyber is seeking his post arrest bail in case
 FIR No.14 dated: 31.08.2024 U/S 506 PPC, Police Station Dabori,
 District Orakzai.

Perusal of record reveals that the alleged occurrence took
 place on 02.06.2024, reported on 04.06.2024 and FIR was
 registered on 31.08.2024. There is unexplained delay of about 02
 months in registration of FIR. 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 for refusing bail of accused/petitioner. Nothing

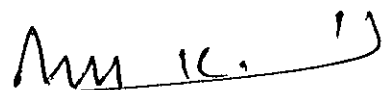
ZAHIR KHAN
Civil Judge/JM
Kalaya Orakzai

Am 1c. 1)
19/09/2024

incriminating has been recovered from possession of the accused/petitioner or on his pointation. 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 quarter concerned forthwith. File of this court be consigned to record room after necessary completion and compilation.

ANNOUNCED:
19.09.2024



Zahir Khan
JMIC-I, Kalaya, Orakzai