

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

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Bail Petition .....85/4 of 2024.  
Date of institution.....25.09.2024.  
Date of decision.....26.09.2024.

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**Order.No.02**  
**26.09.2024**

APP for the state present. Counsel for accused/petitioners present. Attested W/N submitted. Record received. Arguments heard and record gone through.

Accused/petitioners namely Muhammad Ishaq S/O Ashoor Khan, Suleman Khan S/O Alim Khan and Abdul Wakeel S/O Sawab Gul all R/O Qaum Shalubar Qamber Khel, District Orakzai are seeking their post arrest bail in case FIR No.100, Dated: 24.09.2024 U/S 506, 148, 149 PPC & 15-AA PS Kalaya, Orakzai.

Perusal of record reveals that offences with which accused/petitioners are 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 such extra ordinary circumstances are available on record to justify departure from this rule. Nothing incriminating has been recovered from the direct possession of accused or on their pointation. No empty shell has been recovered from the spot. No live cartridges or chargers have been recovered at the time of alleged recovery of weapons of offence. No FSL report or application for FSL regarding the recovered weapons is

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

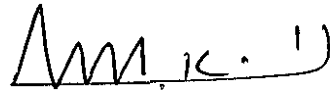
*AMC*  
*26/09/24*

placed on file and whether the recovered weapons are in workable condition or not, it would be determined during trial. Case of the accused/petitioners is one of further inquiry. 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.

Resultantly, 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 reliable 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. Record be returned back to the quarter concerned.

File of this court be consigned to record room after necessary completion and compilation.

**ANNOUNCED:**  
**26.09.2024**



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