


IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Muhammad Rehman VS State


Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
<p>Order No.02</p>	<p>04.05.2023</p>	<p>Register. DPP, Umar Niaz for the State present. Accused/petitioner, Muhammad Rehman on ad-interim pre-arrest bail in person present. Record received. Notice be issued to Jihad Ullah and Muhammad Imran for 11.05.2023.</p> <p align="right">  (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela </p>
<p>Order No.03</p>	<p>11.05.2023</p>	<p>DPP, Umar Niaz for the State present. Accused/petitioner, Muhammad Rehman on ad-interim pre-arrest bail in person along with his counsel present. Jihad Ullah and Muhammad Imran, despite being served through notices, not present. Arguments heard.</p> <p>The accused/petitioner, Muhammad Rehman s/o Khialbat Khan seeks confirmation of his ad-interim pre-arrest bail in case FIR no. 31, dated 04.04.2023, u/s 392 PPC, 5 Explosive Substances Act and 15AA of Police Station Kalaya, wherein, as per contents of FIR, the local police acting on information regarding presence of some persons for the purpose of commission of offence on the spot, reached the place of occurrence, where at about 1300 hours three persons on seeing the police party abandoning 02 motorcycles tried to make their escape good from the spot, but they were overpowered. Out of the arrested persons, one disclosed his name as Muhammad Salam from whose possession a Kalashnikov along with a fix charger and 02 spare chargers, a knife and a hand grenade were recovered while the other two disclosed their names as Afsar Khan and Aman Ullah, the co-accused. Nothing incriminating was recovered from</p>

Stamp: Shaukat Ahmad Khan, District & Sessions Judge, Orakzai at Baber Mela

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Contin. Order No.03		<p>personal search of both the accused. Hence, the present FIR. During course of investigation, the accused disclosed that they have snatched the motorcycles from Jihad Ullah and Imran Khan. On 08.04.2023 the statements of the said Jihad Ullah and Imran Khan were recorded u/s 164 CrPC wherein they besides charging the afore-mentioned accused also charged the present accused/petitioner along with 03 other accused for snatching two motorcycles, Rs. 360,000/- and two cellphones from them on 04.04.2023 at 1100 hours, where they were on their way to their house after collecting Rs. 360,000/- from one Ali Akbar at Zakha Khel village.</p> <p>Though the accused/petitioner is not directly nominated in the FIR; however, he has been nominated by Jihad Ullah and Muhammad Imran in their statements recorded u/s 164 CrPC. Counsel for the accused/petitioner failed to point out any malafidi or ulterior motive on behalf of the said Jihad Ullah and Muhammad Imran or local police for falsely implicating him in the instant case.</p> <p>Hence, the accused/petitioner is not entitled to concession of pre-arrest bail at this stage. Therefore, ad-interim bail earlier granted to the above-named accused/petitioner is hereby recalled and the BBA in hand resultantly stands dismissed. Consign.</p> <p>Pronounced: 11.05.2023</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>