

Or 04
27-04-2020

Present:

Accused/petitioner on interim bail, along with Syed Muzahir Hussain Advocate and Abid Ali Advocate
Complaint along with Haseeb Ullah Khan Advocate
DPP Umer Niaz Khan for State

The accused/petitioner **Haji Muhammad Ayaz** s/o Lajbar Khan, belonging to Mishti, Haider Khel caste r/o Kas Mama Khel, Lower Orakzai; has filed the instant **pre-arrest bail** petition in case **FIR No. 25** dated 10-04-2020, wherein he has been charged, along with other co-accused, u/s **436/427/452/148/149 PPC**, registered in of PS Lower Orakzai (Kalaya).

The accused/petitioner, along with other co-accused, is charged for setting the dwelling house of complaint, M. Ikhlaq, on fire.

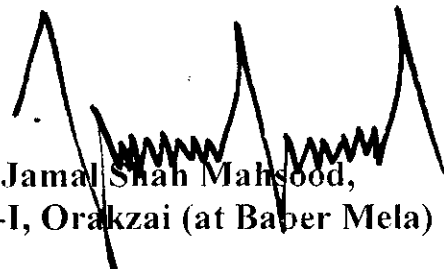
The accused/petitioner filed the instant petition seeking pre-arrest bail by contending malafide and false implication and also on medical grounds.

Arguments of learned counsels for the parties and DPP for the State heard, record perused. The tentative assessment of which show that:

1. The counsel for accused/petitioner could not point out any malafide of complainant or local police in nominating him for the offence.
2. The copies of previous medical record of accused/petitioner have been place on file, however, the same are irrelevant at this stage - as the accused/petitioner is able to walk and has appeared before this court.
3. The points raised by the counsel for the accused/ petitioner cannot be considered at this stage, without establishing of malafide first.

In these circumstances, pre-arrest bail petition of the accused/petitioner is **dismissed**. Let copy of this order be placed on record on the same be returned to the quarter concerned while this file be consigned to the record room after necessary completion and compilation.

Announced
27-04-2020


Jamal Shah Mahsood,
ASJ-I, Orakzai (at Baber Mela)