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IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II ORAKZAI,
AT BABAR MELA

BBA No 10 of 2021

Muhammad Ilyas Vs State

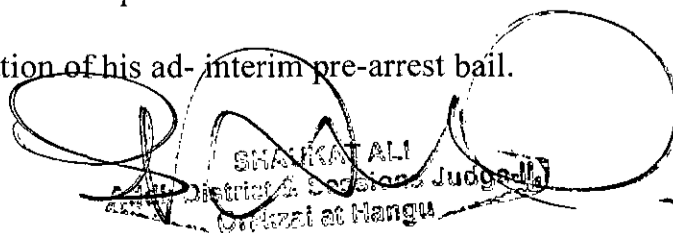
ORDER
21.01.2021

Accused/petitioner on ad-interim pre-arrest bail present. Learned counsel for the accused/petitioner present. Mr. Javid Iqbal Anwar Sr.PP for the State present. Learned counsel for the complainant present.

Accused/petitioner Muhammad Ilyas s/o Khana Gul R/o Qoam Mishti Tappa Haider Khel Chappar, District Orakzai is seeking the confirmation of his ad-interim pre-arrest bail in case FIR No. 02 dated 07/01/2021 U/Sec 337-F(v)/352/148/149 PPC of PS Lower Orakzai (Kalaya) wherein the accused/petitioner along with his co-accused are charged for inflicting injuries on the complainant and for his abduction.

Arguments for the learned counsel for the accused/petitioner and learned Sr.PP for the state assisted by learned counsel for the complainant heard and record perused.

The accused/petitioner seeking the remedy of pre-arrest bail has to show mala fide on the part of complainant for charging him or has to show that no offence has been taken place and he has falsely been charged by the complainant for any ulterior motive. The record shows that the accused/petitioner is directly charged for the offence and the medical report also shows fracture which exclude mala fide on the part of complainant. No mala fide was surfaced on record by the accused/petitioner therefore in the circumstance of the case the accused/petitioner is thus failed to make out a case for the confirmation of his ad- interim pre-arrest bail.

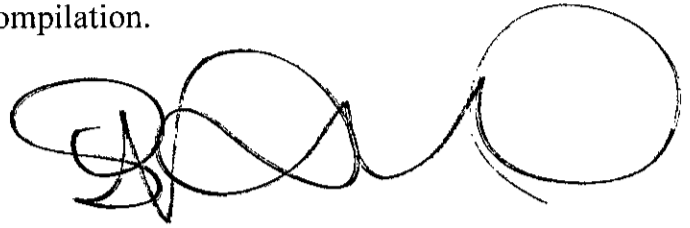

SHAFIQ ALI
District & Sessions Judge
Orakzai at Mangu

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In view the above, the pre-arrest bail petition in hand is rejected and the ad-interim pre-arrest bail granted to the accused/petitioner vide order dated 12/01/2021 is hereby recalled.

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

Announced
21.01.2021

A handwritten signature in black ink, consisting of several loops and a large circular flourish on the right side.

(SHAUKAT ALI)
Additional Sessions Judge-II,
Orakzai at Babar Mela