

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

BBA No. 12 of 2021

Muhammad Akbar Vs STATE

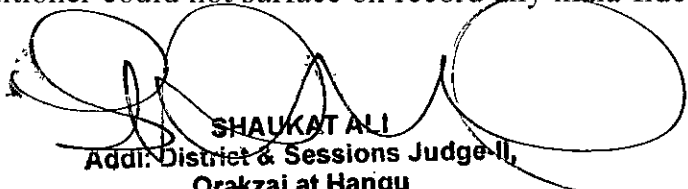
ORDER
26.01.2021

Accused/petitioner on ad-interim pre-arrest bail present. Learned counsel for the accused/petitioner present. Javid Iqbal Anwar Sr.PP for the State present. Complainant despite service not in attendance.

Accused/petitioner Muhammad Akbar s/o Ghulam Akbar r/o Qoam Mishti, Tappa Haider Khel, Chappar Central District Orakzai is seeking the confirmation of his ad-interim pre-arrest bail in case FIR No.25 dated 10/04/2020 u/s 436/427/452/148/149-PPC of PS Lower Orakzai (Kalaya) wherein the accused/petitioner along with his co-accused is charged for putting on fire the house of complainant.

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

The grant of pre-arrest bail is a relief of extra ordinary nature which is only extended in exceptional circumstances where the accused is able to show mala-fide on the part of prosecution or when it is shown on the bare reading of the FIR that no offence has been committed. The accused/petitioner is charged by the complainant in his supplementary statement recorded 164 Cr.PC on 15-04-2020. The accused/petitioner after he was charged by the complainant went into hiding and proceedings u/s 204 and 87 Cr.PC were initiated against the accused/petitioner and the accused remained absconder without any explanation. The accused/petitioner could not surface on record any mala-fide on the


SHAUKAT ALI
Addl. District & Sessions Judge-II,
Orakzai at Hangu

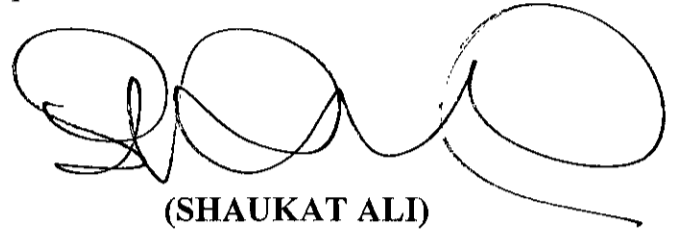
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part of complainant or prosecution, therefore the accused/petitioner is not entitle for the confirmation of his ad-interim pre arrest bail.

In view the above, the bail petition in hand is rejected and the ad-interim pre-arrest bail granted to the accused/petitioner vide order dated 22/01/2021 is hereby recalled.

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

Announced
26.01.2021



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