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

BBA No 17 of 2021

Shahid Ullah Vs State

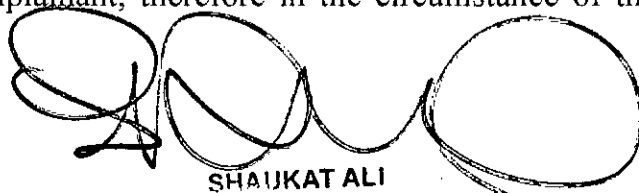
ORDER
08.02.2021

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. Mr. Abid Ali Advocate submitted W/N on behalf of complainant.

Accused/petitioner Shahid Ullah s/o Khana Gul R/o Qoam Mishti, Tappa Haider Khel, Chappar 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.

In cases of bail before arrest there must be allegation of mala fide and ulterior motive which should prima facie be substantiated by material of record. The accused/petitioner neither could surface on record any mala fide nor could place on record any material to substantiate any mala fide on the part of complainant. On the other hand the accused/petitioner is charged for causing fracture of finger of left hand of the complainant as evident from medical report of the complainant which exclude mala fide on the part of complainant, therefore in the circumstance of the case the


SHAIKAT ALI
Addl. Dist. Sessions Judge-II,
Orakzai at Hangu

10
accused/petitioner is thus failed to make out a case for the confirmation of their ad- interim pre-arrest bail.

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 01/02/2021 is hereby recalled.

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

Announced
08.02.2021



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