

**IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA**

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Case Title: Ikram etc vs State etc

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
Order No.04	11.12.2021	<p align="center">DPP, Umar Niaz for the State present.</p> <p>Accused/petitioners; Akram, Irshad, Tahir and Muhammad Dad Khan on ad-interim pre-arrest bail alongwith their counsel present. Complainant Meenat Gul alongwith Khursheed Alam Advocate present.</p> <p>The above-named accused/petitioners seek confirmation of their ad-interim pre-arrest bail in case FIR no. 21 dated 12.07.2021 u/s 324 PPC registered in PS Mishti Mela wherein, as per contents of FIR, the complainant on 12.07.2021 at DHQ hospital Mishti Mela made a report to the police that on 10.07.2021 he left his motorcycle for mechanical work with Ain Ullah mechanic and went to his house via motorcycle of the mechanic. On way back for fetching his motorcycle when he reached at the spot of occurrence some unknown persons started firing at him due to which he received injuries. The matter was investigated and the local police submitted complete challan against unknown accused before the court of learned Judicial Magistrate where for preservation of the evidence he summoned the complainant and recorded his statement wherein he charged the present accused/petitioners for the commission of offence. the learned Judicial Magistrate returned the case to the prosecution for investigation. Hence, the present Bail Before Arrest petition.</p> <p>Arguments heard and record perused. Perusal of case file shows that through the offence for which the</p>

Shaukat Ahmad Khan  
District & Sessions Judge  
Orakzai at Baber Mela  
11/12/21

FIR no. 21, Dated: 12/7/21, u/s 324 PPC, PS Mishti Mela

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		<p>accused/petitioners are charged falls within the prohibitory clause of 497 CrPC but the matter has been reported to the police with a delay of about two days. The accused/petitioners are neither charged by the complainant in the FIR nor he has subsequently recorded his supplementary statement in this respect. It was after about more than 03 months when the complainant was summoned by the court, he charged the present accused/petitioners for the commission of offence. It is still a mystery that how the complainant came to know about the involvement of the accused/petitioners in the commission of offence and why he has kept mum for such a long period. In these circumstances as the accused/petitioners are otherwise entitled to the concession of bail; therefore, no useful purpose of the prosecution would be served to commit the accused/petitioners to police custody except the probability of injustice harassment of the police. Thus, the malafidy of the complainant is apparent on the record and would attract further enquiry to the case. Accordingly, the BBA petition in hand stand accepted and the ad-interim bail earlier granted to the accused/petitioners is confirmed on the existing bonds. Consign.</p> <p><b>Pronounced:</b> 11.12.2021</p> <p style="text-align: right;"> <b>(SHAUKAT AHMAD KHAN)</b> Sessions Judge, Orakzai at Baber Mela</p>