



IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA


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Case Title: Ghaffar Ali 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	31.01.2022	<p align="center">DPP, Umar Niaz for the State present.</p> <p>Accused/petitioner, Ghaffar Ali on ad-interim pre-arrest bail present. Record received. Complainant Moeen Ali present in person. Parties seek time to produce their counsels for arguments. Allowed. Case file be put up for arguments on 03.02.2022.</p> <p align="right">  (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela </p>
Order No.05	03.02.2022	<p align="center">DPP, Umar Niaz for the State present.</p> <p>Accused/petitioner, Ghaffar Ali on ad-interim pre-arrest bail alongwith his counsel present. Complainant Moeen Ali alongwith his counsel present.</p> <p>The above-named accused/petitioner seeks confirmation of ad-interim pre-arrest bail in case FIR no. 01, dated 01.01.2022, u/s 302/34 PPC of PS Kalaya, wherein as per contents of FIR, the complainant Moeen Ali on 01.01.2022 at 1730 hours at emergency room Mishti Mela hospital made a report to the police to the fact that on that day at about 1640 hours he was present at his house when he heard the report of fire shots, at which he came out of his house and saw the accused/petitioner Ghaffar Ali alongwith his co-accused Waseem Ali s/o Rehman Ali duly armed leaving the spot</p> <p>  Shaukat Ahmad Khan District & Sessions Judge Orakzai at Baber Mela 03/02/22 </p>

FIR no. 01, Dated: 01.01.22, u/s 302/34 PPC, PS Kalaya

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		<p>having murdered his brother Naseeb Ali. Hence, the present case.</p> <p>I heard arguments and perused the record. Perusal of case file shows that the accused/petitioner is directly nominated in the FIR. Counsel for the accused/petitioner failed to point out any malafidi or ulterior motive on behalf of police for falsely implicating the accused/petitioner. The plea of alibi taken by the accused/petitioner regarding his absence from the scene at the time of occurrence, cannot be taken into consideration at this early stage of BBA. Therefore, the instant BBA petition is dismissed and ad-interim bail already granted to the accused/petitioners vide order 12.01.2022 of this Court is recalled. Consign.</p> <p><u>Pronounced:</u> 03.02.2022</p> <p style="text-align: right;"> (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela</p>