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**IN THE COURT OF ABDUL BASIT
ADDITIONAL SESSIONS JUDGE-II, ORAKZAI**

Petition No. 03/BBA of 2024

“Himat Khan... Versus... The State”

Order---03
05.01.2024

Accused/petitioner on ad-interim pre-arrest bail along with counsel present. Complainant in person and DyPP for State are present.

Accused/petitioner Himat Khan S/o Azmat Khan seeks confirmation of his pre-arrest bail provisionally granted to him in case FIR No. 55 dated: 26.12.2023 under Section 420/418/471 PPC of Central Mishti Mela Police Station, Orakzai.

Arguments heard and record perused.

Tentative assessment of record reveals that the accused/petitioner has been nominated in the instant case. Counsel for accused/petitioner could not point out any malafide or ulterior motive on part of police or complainant for his false implication in the present case. In the absence of malafide, false implication and ulterior motive, which is condition precedent for grant of bail before arrest, the accused/petitioner is not entitled to extraordinary concession of pre-arrest bail. Hence, I am not inclined to extend extraordinary concession of pre-arrest bail to accused/petitioner, therefore, his application is dismissed and interim bail already granted to him is hereby recalled. SHO concerned be informed accordingly.

Record be returned alongwith copy of this order and file of this Court consigned to the Record Room after its completion and compilation.

Announced
05.01.2024


(Abdul Basit)
Addl. Sessions Judge-II, Orakzai