




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.02	30.11.2022	<p>DPP, Umar Niaz for the State present. Accused/petitioners, (1) Muqarab Khan s/o Mir Hassan and (2) Muqarab Khan s/o Khial Meen on ad-interim pre-arrest bail along with their counsel present. Complainant Nabi Ullah present in person. Muhammad Zahid Advocate for complainant present. Record received. Arguments heard.</p> <p>The above-named accused/petitioners seek confirmation of their ad-interim pre-arrest bail in case FIR no. 51, dated 20.05.2022, u/s 506/148/149 PPC of Police Station Kalaya, wherein as per contents of FIR, the complainant on 14.05.2022 at about 0900 hours made a report to the police to the fact that on 13.05.2022 at about 1730 hours he along with his guests was present in his Hujra when the accused/petitioners along with co-accused duly armed came there and criminally intimidated them by making firing but he and his guests got escaped unhurt. Hence, the present FIR.</p> <p>Perusal of the case file shows that though the accused/petitioners are directly nominated in the instant FIR and the accused/petitioners have remained fugitive from law but the report has been made to the police with a delay of about more than 12 hours. Moreover, despite allegations of making firing by about 14 persons, no</p>


 Shaukat Ahmad Khan
 District & Sessions Judge
 Orakzai at Babar, Mardan
 20/11/22

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

(4)

Case Title: Muqarrab Khan etc vs State etc

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<p>Contin. Order No.02</p>		<p>empty from the spot has been recovered. Furthermore, besides the present case, various other criminal cases are registered by the parties against each other. In the presence of aforementioned circumstances, malafidi on behalf of complainant cannot be ruled out. Above all, the offence for which the accused/petitioners are charged does not fall within prohibitory clause of section 497 CrPC where the post-arrest bail cannot be withheld except in presence of exceptional circumstances but in the instant case in absence of exceptional circumstances, committing the accused/petitioners to police custody for enabling them to be released on post-arrest bail, would serve no useful purpose of the prosecution except the probability of unjustified harassment at the hands of police.</p> <p>Therefore, in the light of above, bail petition in hand stands accepted and ad-interim pre-arrest bail earlier granted to the accused/petitioners stands confirmed on the strength of existing bail bonds. Consign.</p> <p>Pronounced: 30.11.2022</p> <div style="display: flex; justify-content: space-around; align-items: center;">  <div style="text-align: center;">  (SHAUKAT AHMAB KHAN) Sessions Judge, Orakzai at Baber Mela </div> </div>