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

Petition No. 42/4 BBA of 2024

"Khalid Mehmood... Versus ... The State"

Order---04

29.05.2024

Counsel for accused/petitioner and Umar Niaz, DPP, for the State present.

Accused/petitioner Khalid Mehmood s/o Waris Khan r/o Caste Utman Khel Tehsil lower, District Orakzai seeks his post arrest bail in case FIR No. 33 dated:13.05.2024 under sections 337A (ii)/506/34 PPC of police station Kalaya.

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 motives 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
29.05.2024



Abdul Basit
Addl. District & Sessions
Judge-II, Orakzai