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

Case Title: Mubeen Khan etc Vs State

Order No. 04
11.09.2024

Accused/petitioners on ad-interim pre-arrest bail are present.

DyPP for the state is in attendance.

Complainant in person is present.

Arguments could not be heard as complainant requested for adjournment on the ground to engage his counsel. Request is allowed and case is adjourned.

Put up for arguments on 12.09.2024.



Abdul Basit
Addl. District & Sessions Judge-II
Orakzai

Order---05
12.09.2024

Accused/petitioners on ad-interim pre-arrest bail along with counsel and complainant along with counsel are present.

Accused/petitioners Mubeen Khan son of Ayub Khan and Rehmanullah son of Ayub Khan seek confirmation of their pre-arrest bail provisionally granted to them in case FIR no. 10 dated: 21.03.2024 under Section 506/34 PPC of Mishti Mela Police Station, Orakzai.

Arguments heard and record perused.

Tentative assessment of record reveals that the accused/petitioners have been nominated in the instant case. Counsel for accused/petitioners could not point out any malafide or ulterior motive on part of police or complainant for their 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/petitioners are not entitled to extraordinary concession of pre-arrest bail. Hence, I am not inclined to extend extraordinary concession of pre-arrest bail to accused/petitioners, therefore, their application is dismissed and interim bail already granted to them 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
12.09.2024

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