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LAL MUHAMMAD VS STATE

FIR no. 25, dated 22.04.2024, u/s 462-K PPC, PS Kurez Boya

**IN THE COURT OF BAKHT ZADA ADDITIONAL SESSIONS JUDGE-  
I, ORAKZAI AT BABER MELA**

Bail Application No : 9/BBA of 2024  
Date of Institution : 05.11.2024  
Date of Decision : 28.11.2024

**LAL MUHAMMAD VS THE STATE**

**ORDER**

28.11.2024

Sr.PP, Abul Qasim for the State present.

Accused/petitioner, Lal Muhammad s/o Salih Muhammad on ad-interim pre arrest bail along counsel Mr. Khursheed Alam Advocate present.

(2). Accused/petitioner, Lal Muhammad s/o Salih Muhammad is seeking confirmation of his already granted ad-interim pre-arrest bail in case FIR no. 25, dated 22.04.2024 u/s 462-K PPC of police station Kurez Boya.

(3). Facts of the case are that, complainant Rehmat Ullah SDO operation has sent Murasila through DPO office vide letter Tribal Area Electric Supply Company (TESCO) no. 355-58, dated 30.10.2023 for registration for FIR, wherein it is alleged that on 24.10.2024 during checking the TESCO staff has caught red handed Accused Lal Muhammad who was using electricity through direct hooks which is the reason for the financial loss to the company and also comes under the definition of theft.

*Baker*  
*28-11-2024*  
BAKHT ZADA  
Addl: District & Sessions Judge-1,  
Orakzai at Hangu

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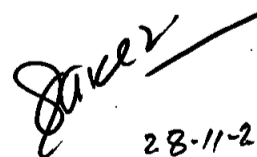
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(4). At the very outset, the representative of the complainant stated at the bar that he has got no objection upon confirmation of pre-arrest bail of the accused/petitioner. Moreover, the legal procedure scribed under section 462-O has not been followed in the instant case to proceed against the accused/petitioner. The perusal of record further shows that letter/Murasila has been scribed on 30.10.2023 while the alleged checking has been made on 24.10.2023 and instant report has been made on 22.03.2024 with the delay of almost 05 months which reflect the malafide on the part of the complainant. Furthermore, the prosecution has failed to elucidate the consequential purpose that would be served by committing the accused/petitioner to police custody. The accused is senior citizen and according to his CNIC his age is more than 64 years. Therefore, in the light of above, the already granted ad-interim pre-arrest bail of the accused/petitioner Lal Muhammad stands confirmed on the strength of existing bail bonds.

(5) File of this court be consigned to record room after its completion and compilation. Copy of this order be placed on police/judicial file.

**Announced**  
28.11.2024

  
28-11-2024

**BAKHT ZADA**  
Additional Sessions Judge-I, Orakzai  
at Baber Mela