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MUHAMMAD ULLAH ETC VS STATE

FIR no. 27, dated 31.01.2021, u/s 506/189/34 PPC, PS Ghiljo

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

BBA : 14/04 of 2024
Date of Institution : 16.11.2024
Date of Decision : 10.12.2024

MUHAMMAD ULLAH ETC VS THE STATE

ORDER
10.12.2024

Sr. PP, Abul Qasim for the State present.

Complainant absent despite service.
Accused/petitioners on ad-Interim bail along with their
counsel Mr. Shabeer Ahamd Advocate present. Record
received.

(2). Accused/petitioners, Muhammad Ullah and Shakeel
Khan r/o caste Rabia Khel District, Orakzai are
seeking confirmation of their pre arrest bail in case
FIR no. 10, dated 21.10.2024 u/s 186/189/506/34 PPC
of police station Ghiljo.

(3). Facts of the case are that the complainant Sher
Aman Khan SDFO Forest Orakzai. On 21.10.2024 at
1540 hours reported to the police at the place of
occurrence Samana Char, Bagh Mian Gul Jungalat that
on the day of occurrence at 1040 hours he was informed
that some one has started cutting trees through saw, on
which he proceeded to the spot along with (1) Forester
Kamal Hussain, (2) Forester Muhammad Ajmal (3)
Forester Azmat Khan (4) Muhammad Adress forest
guard (5) Muhammad Khanan forest guard and found

Sawer
10-12-24
BAKHT ZADA
Addl: District & Sessions Judge-1,
Orakzai at Hargu

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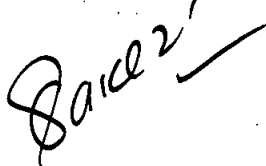
that one Muhammad Ullah s/o Peer Bat Khan, Shakeel Khan s/o Yar Badshah r/o Caste Rabia Khel Safel Dara were busy in cutting of forest they were asked to stop by apprehended them but they escaped from the spot and started firing for criminal intimidation. He charged the accused for the commission of offence,

(4). Arguments heard and record gone through perused.

(5). Perusal of the case file reveals that the accused/petitioners are directly nominated in the FIR. Counsel for the accused/petitioners failed to point out any malafidi or ulterior motive on behalf of police or the complainant for falsely implicating the accused/petitioners in the instant case. In these circumstances, the accused/petitioners are not entitled to the extraordinary concession of bail, hence the instant BBA petition is dismissed and ad-interim bail earlier granted to the accused/petitioners vide order 16.11.2024 is recalled.

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

Announced
10.12.2024


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