

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II/JSC ORAKZAI,**  
**AT BABAR MELA**

BBA No. 59 of 2021

Shehzad Ali Vs STATE

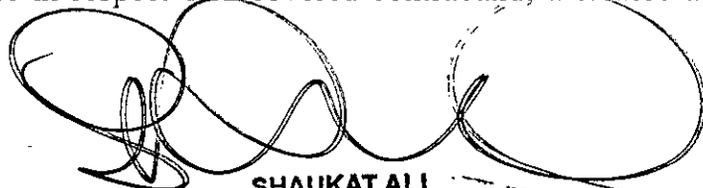
**ORDER**  
**27.04.2021**

The instant pre-arrest bail application received from the court of Hon'ble District and Sessions Judge Orakzai on transfer. It be registered. Accused/petitioner on ad-interim pre-arrest bail present. Learned counsel for the accused/petitioner present. Nisar Ahmad APP for the State present.

Accused/petitioner Shehzad Ali s/o Tajdar Ali r/o Caste Mani Khel Tappa Mast Ali Khel lower District Orakzai is seeking the confirmation of his ad-interim pre-arrest bail in case FIR No.02 dated 31/03/2021 u/s 9-D KP-CNSA of PS Kurez, wherein the accused/petitioner is charged for throwing a sack from his Motorcycle on seeing the Police party containing chars weighing 4800 grams and thereafter decamped from the spot on his Motorcycle.

Arguments for the learned counsel for the accused/petitioner and learned APP for the state heard and record perused.

The grant of pre-arrest bail is a relief of extra ordinary nature which is only extended in exceptional circumstances where the accused is able to show mala-fide on the part of prosecution which is sine qua non for the confirmation of ad-interim pre arrest bail. The record reflects that there was prior information regarding the accused/petitioner and huge quantity of chars was recovered in consequences of that information which exclude mala fide on the part of complainant to charge the accused/petitioner in the instant case. The accused/petitioner is yet to be interrogated to dig out the facts of the case in respect of recovered contraband, therefore the case of



**SHAUKAT ALI**  
**Add: District & Sessions Judge-II,**  
**Orakzai at Hangu**

accused/petitioner is not arguable for the confirmation of ad-interim pre-arrest bail.

In view the above, the bail petition in hand is rejected and the ad-interim pre-arrest bail granted to the accused/petitioner vide order dated 19/04/2021 is hereby recalled.

File of this Court be consigned to record room after its necessary completion and compilation.

**Announced**  
**27.04.2021**



(SHAUKAT ALI)  
Addl; Sessions Judge-II/JSC,  
Orakzai at Babar Mela