

4

**BBA No. 43/BBA of 2020**

Or 03  
14-04-2020

**Present:**

All 03 accused/petitioners on interim bail, along with Javed Iqbal Advocate

Javid Muhammad and Jabir Hussain Advocates, along with complainant Tariq Ali

DPP Umar Niaz for the State

The accused/petitioners (1) **Razim Ali** s/o Hassan Ghulam, (2) **Tajamul Hussain** s/o Hussain Ghulam and (3) **Sajawal Hussain** s/o Gulab Ali; all residents of And Khel, Lower Orakzai; are seeking **pre-arrest bail** in case **FIR No. 17** dated 19-03-2020, wherein they have been charged u/s **506/504/34 PPC** in PS Lower Orakzai.

Facts of the case, according to FIR, are; that the parties to the instant case had a pending a civil dispute in court of law; that after the complainant party brought firewood from the said land, the accused party attacked the house of the complainant party; that accused/petitioners Razim Ali and Sajawal Hassan made firing to criminal intimidate complainant party, while accused/petitioner Tajamul Hussain, present there in police uniform, also made firing with pistol. Hence the present case. The accused/petitioners have filed the instant petition contending malafide and false implication by the complainant.

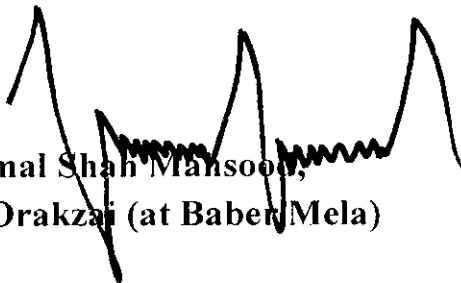
Arguments of learned counsels for the parties and DPP for the State heard. The record has been perused; tentative assessment of which show that:

1. The counsels for the parties presented arguments on many aspects of the case; however, the accused/petitioners could not point out any malafide on behalf of complainant, for falsely implicating them.
2. The accused/petitioners could also not point out any other circumstances which would entitle them to the extraordinary relief of confirmation of their BBA.

In these circumstances, the instant pre-arrest bail petition of the accused/petitioners, Razim Ali, Tajamul Hussain and Sajawal Hussain, is **dismissed**. Copy of this order be placed on record and the same be returned to the quarter concerned; while file of this Court be consigned to the record room after necessary completion and compilation.

**Announced**

**14-04-2020**

  
Jamal Shah Mansoor,  
ASJ-I, Orakzai (at Baber Mela)