

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

BBA No..... 15 of 2019

Date of Institution.....15/06/2019

Date of Decision22/06/2019

ABDUL BASIT ETC.... Vs..... STATE

ORDER
22.06.2019

Accused/petitioner on ad-interim pre-arrest bail present. Learned counsel for the accused/petitioner present. Zohaib Sher APP for the State present. Learned counsel for the complainant along with complainant present and submitted W/N on behalf of the complainant which is placed on file.

Accused/petitioner Abdul Basit alias Muhammad Basit s/o Syed Salam r/o Mula Khel Daborri, Tappa Char khela Ghiljo District Upper Orakzai is seeking the confirmation of his ad-interim pre-arrest bail in case FIR No.01 dated 27/05/2019 u/s 341-506/34 PPC of PS Ghiljo District Orakzai.

Brief facts of the case as per Naqal Mad No.3 dated 28/05/2019 are that the complainant Waheed Gul s/o Sarwar Khan r/o Mula Khel Daborri came to PS Ghiljo and reported that on 27/05/2019 at morning time his son, Rafi Ullah along with his other nephews were going to High school Daborri, that when they reached Shna Krapa at 6:50 AM accused/petitioner along with his co-accused stopped them, that accused Syed Salam took his pistol and stopped them by threatening them that they could not go to school, due to which his son and nephews came back home and narrated the whole story. The motive for the occurrence was shown as previous ill will. The report of the complainant was later on reduced into FIR

wherein the accused/petitioner along with his co-accused were charged for the commission of offence.

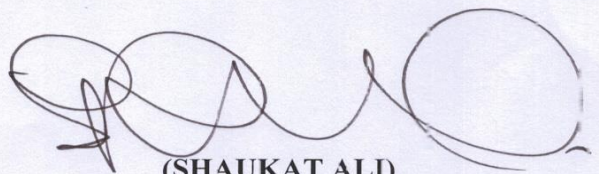
Arguments for the learned counsel for the accused/petitioner and learned APP for the state assisted by learned counsel for the complainant heard and record perused.

The perusal of record would transpire that the offences for which the accused/ petitioner is charged are bail able u/sec 496 Cr.P.C, wherein the accused have the right to be released on bail, whenever the accused is brought before the court or appear before the court. The accused Syed Salam to whom the role of extending threats to the complainant party has been attributed is already released on bail along with the other co-accused Muhammad Younas vide order dated 10/06/2019 of learned Senior Civil Judge/JM Orakzai. The accused/petitioner has joined the investigation and is no more required for the purpose of further investigation, therefore sending the accused behind the bar would serve no useful purpose, hence the case of the accused/petitioner is arguable for the confirmation of ad-interim pre-arrest bail.

In view the above, the bail petition in hand is accepted and the ad-interim pre-arrest bail granted to the accused/petitioner vide order dated 15/06/2019 is hereby confirmed on the strength existing bail bonds.

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

Announced
22.06.2019



(SHAUKAT ALI)
Additional Sessions Judge-II,
Orakzai at Babar Mela