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BBA No. 15/BBA of 2019

OR 04  
27-06-2019

Present:

All three accused/petitioners on interim bail along with Sana Ullah Advocate

APP Zohaib Ahmed Sher for the State

The accused/petitioners (1) **Alias Khan** s/o Faiz Ali, (2) **Haider Ghulam alias Tor Malak** s/o Ali Ghulam and (3) **Atlas Khan** s/o Ataullah Khan; all residents of Bar Muhammad Khel, Tapa Abdul Aziz Khel, Kalaya Lower Orakzai; are seeking **pre-arrest bail** in case **FIR No. 02** dated 21-05-2019, wherein they have been charged u/s **506 PPC** in PS Lower Orakzai.

Facts of the case, according to FIR, are; that the accused/petitioners, along with other co-accused - in two groups, made firing at one another, in order to criminally intimidate each other. The motive behind occurrence is stated to be some dispute over land. Hence the present case.

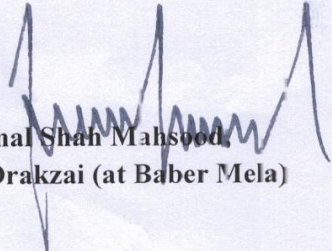
The accused/petitioners have filed the instant petition seeking pre-arrest bail by contending malafide and false implication on behalf of complainant SHO and local police.

Arguments of learned counsel for the accused/petitioners and APP for the State heard. The record has been perused; tentative assessment of which show that:

1. The counsel for accused/petitioners made lengthy arguments on many aspects of the case; however, he could not point cut any malafide on behalf of complainant SHO, 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, Alias Khan, Haider Ghulam and Atlas Khan, 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  
27-06-2019

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