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Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge, or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.02	08.03.2023	<p>DPP, Umar Niaz for the State present.</p> <p>Accused/petitioners, Abdul Rehman and Muhammad Alam on ad-interim pre-arrest bail in person with their counsel present. Complainant Royalty Inspector Muhammad Yasir, present in person. Record received.</p> <p>The above-named accused/petitioners seek confirmation of their ad-interim pre-arrest bail in case FIR no. 11, Dated 02.02.2023, u/s 56 Khyber Pakhtunkhwa Mineral Act of Police Station Kalaya, wherein, as per contents of FIR, the complainant on 02.02.2023 made a report to the local police to the fact that on 01.02.2023 the accused/petitioners along with co-accused, despite suspension of mining operations of the accused/petitioners vide order of DG Minerals, were carrying on mining activities on the spot. Hence, the present FIR.</p> <p>Arguments heard and record perused.</p> <p>Perusal of case file shows that though the accused/petitioners are directly nominated in the FIR but the matter has been reported to the police with a delay of 01-day and the offence for which the accused/petitioners are charged does not fall within the prohibitory clause of section 497 CrPC. Moreover, the accused/petitioner Abdul Rehman has a valid mineral title holder but the</p>


Shaukat Ahmad Khan
District & Sessions Judge,
Atakza at Bheri
08/03/23

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

(4)

Case Title: Aldus Rehman etc vs State

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<p>Contin. Order No.02</p>		<p>operations of his mining activities have been suspended due to restrictive order of the Honorable Peshawar High Court and the facts of case do not attract the penal provision of section 56 of the Khyber Pakhtunkhwa Mines and Mineral Act, 2017. In these circumstances, no useful purpose of the prosecution would be served to commit the accused/petitioners to police custody except the probability of injustice harassment of the police. Accordingly, the BBA petition in hand stands accepted and the ad-interim bail earlier granted to the accused/petitioners is confirmed on the existing bonds.</p> <p>Consign.</p> <p><u>Pronounced:</u> 08.03.2023</p> <div style="text-align: right;">  (SHAUKAT AHMAD KHAN) Sessions Judge, Orakzai at Baber Mela </div>

