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

BA No..... 17/04 of 2019

Abeel etc..... VS State

ORDER
16.09.2019

Learned counsel for the accused/petitioners present. Syed Amir Shah APP for the State present. Learned counsel for the complainant along with complainant present.

Accused/petitioners Abeel s/o faqeer Khan and Shamroz s/o Lateef Khan r/o Sheraz Ghari Stori Khel Tehsil Lower District Orakzai are seeking post-arrest bail in case FIR No.27 dated 20/08/2019 u/s 436,452,148, 149-PPC of PS Lower Orakzai (Kalaya).

Brief facts of the case are that the local Police during Ghasht received information and came to the spot where the complainant Mir Mat Khan s/o Khaleel Khan reported that he was present in his bargain at Anjari Bazar and at about 8:00 AM he received information from his home that some persons has entered in their house and are putting fire to the rooms of the house through petrol, that on that information he rushed to the house where he saw that accused/petitioners along with his co-accused charged in the FIR are busy in putting fire to their rooms and demolishing the house hold articles, that the inmates of the house were confined in a room due to fear and on his hue and cry his co-villager attracted to the spot and the accused decamped from the spot after the occurrence, that due to the act of the accused the complainant suffered financial loss. The motive was disclosed as land dispute with the accused. The report of the complainant was reduced in the shape of murasilla which was sent to the PS for registration of FIR

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through Constable Sadiq on the bases which instant FIR was registered against the accused.

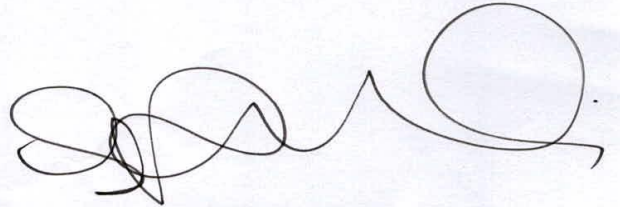
Arguments for the learned counsel for the accused/petitioners and APP for the state assisted by learned counsel for the complainant heard today and record perused.

The perusal of record would evince that the co-accused in the present case namely Jahanzeb and Nowshad s/o Faqeer Khan and Javid s/o Khushal Khan r/o Sheraz Ghari Stori Khel Tehsil Lower District Orakzai has already been released on bail by this court vide order dated 05/09/2019. The case of the present accused/petitioners is at par with that of the accused/petitioners already released on bail, therefore keeping in view the principle of consistency accused/petitioners are also have the right to be release on bail . The accused are behind the bar since their arrest and no more required for further investigation, therefore this court is inclined to release the accused/petitioners on bail.

In view of the above discussion the bail petition in hand is accepted and the accused/petitioners are ordered to be released on bail subject to furnishing surety bond in the sum of Rs. 200, 000/- with two sureties each in the like amount to the satisfaction of this court. The sureties must be local and men of means.

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

Announced
16.09.2019



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

SHAUKAT ALI
Addl: District & Sessions Judge-II
Orakzai at Hangu