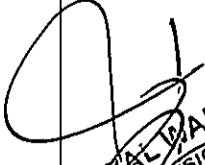


3

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

BBA No. 72/4 of 2023
Hikmat Khan etc. Vs State

| 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 | 06/09/2023 | <p>Case file received from the Court of Hon'ble the District & Sessions Judge, Orakzai. It be registered. Accused/petitioners on ad-interim pre-arrest bail along with their counsel and APP for State are in attendance.</p> <p>2. Arguments on behalf of accused/petitioners and prosecution heard; whereas, this is the disposal of Pre arrest bail application presented by accused/petitioners Hikmat Khan son of Qeemat Khan, Muhammad Shareef son of Shukat Ali, Liaqat Ali son of Aslam Khan, Mutahir Ali son of Naib Khan, Asim Raza son of Wazeer Khan, all residents of Qaum Bar Muhammad Khel, tappa Mirazi Khel, Kurez, District Orakzai.</p> <p>3. Local Police have charged the accused for disobedience to the Order duly promulgated by public servant (Deputy Commissioner Orakzai) for holding protest against the arrest of Chairman PTI. Resultantly, criminal law was brought into motion and FIR bearing No.29 dated: 05-08-2023 was registered u/s 188 of the Pakistan Penal Code, 1860 in Police Station, Kurez Boya Orakzai. Accused named above presented instant pre-arrest bail petition which is under consideration.</p> <p>4. On tentative assessment of record, it reveals that the incident has not been witnessed by any independent witness. Neither script of the alleged speech nor the photography and videography of the procession have been collected. There is no evidence except the mere allegation which is not sufficient for basing judicial determination.</p> <p>The rule of consistency is also applicable as the co-accused have been granted bail followed by acquittal on conclusion of trial. The offence leveled is also not</p> |

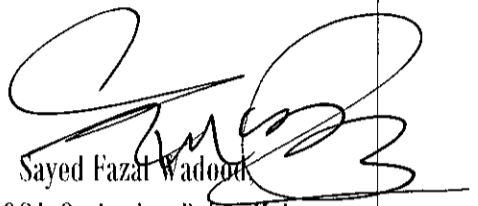

SAYED FAZAL WADOOD
District & Sessions Judge
Orakzai at Hangu

(4)

attracting prohibition.

5. For what has been discussed above, instant pre arrest bail petition stands allowed. Ad-interim pre arrest bail earlier granted to the accused/petitioners is hereby confirmed on the strength existing bail bonds. File of this Court be consigned to District Record Room after its necessary completion and compilation within the span allowed for; whereas, copy of this Order be placed on record of Police to be returned accordingly.

6. Announced in open Court.


Sayed Fazal Wadood
AD&S.J, Orakzai at Baber Mela