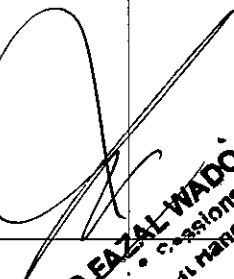


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IN THE COURT OF ADDITIONAL SESSIONS JUDGE ORAKZAI, AT BABAR MELA

BBA No. 81/4 of 2021
Habib Rehman 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	31/08/2021	<p>Mr. Abid Ali Advocate, counsel for accused/petitioner; Mr. Amir Shah APP for State; and Mr. Haseeb Ullah Advocate for complainant are in attendance.</p> <p>2. This is the disposal of Pre arrest bail application presented by accused/petitioner Habib Rehman son of Naseer Khan resident of Mishti Darvi Khel, District Orakzai.</p> <p>3. Mr. Khamin Gul s/o Miraz Gul presented written application to SHO of Police Station Mishti Mela stating therein that as much as 150 trees including fruit trees have ruthlessly been dug/cut in his property named as Thari Banda by some unknown accused. The complaint was given effect in daily diary bearing No.11 dated 02-05-2021 and inquiry was initiated by attracting Section 157 (i) of the Code of Criminal Procedure, 1898. The complainant later on nominated accused including present petitioner for commission of offence that necessitated presentation of instant pre arrest bail by one of the accused namely Habeeb Rehman, which is under consideration.</p> <p>4. Arguments of counsel for the accused/petitioner and learned APP for State assisted by learned private counsel for the complainant heard and record perused.</p> <p>5. Report has initially been lodged against unknown persons for theft, mischief to property and Criminal trespass without nominating any person. The matter was inquired and present accused has been charged in due course of time and on getting proper satisfaction on part of the complainant. If there was any mala fide, the accused would have been charged on the very first day of lodging report and registration of FIR. Similarly, mischief to</p>


SAYED EAZAL WADOOD
Addl. Dist. Sessions Judge
Orakzai at Nangu

(6)

property with criminal trespass is tentatively established from trees dug and reflected on the recovery memo.

6. For what has been discussed above, instant pre arrest bail petition stands dismissed and ad-interim pre arrest bail to the accused/petitioner is hereby recalled. 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.

7. Announced in open Court.



SAYED FAZAL WADOOD
Additional Sessions Judge
Orakzai at Baber Mela