


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

BA No. 38/4 of 2022  
Ashfaq Hussain Vs State

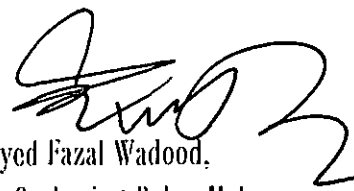
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	15/04/2022	<p>Mr. Jabir Hussain Advocate represented accused/petitioner, complainant in person and Mr. Javid Akhtar Wazir Sr.PP for State are in attendance.</p> <p>2. This is the disposal of Post arrest bail application presented by accused/petitioner Ashfaq Hussain resident of Qaum Sepoy, Tappa Mitha Khan Khel, Wazeer Garhi, Tehsil Lower and District Orakzai.</p> <p>3. The complainant reported incident of setting on fire the common Hujra of village. The accused are claiming the exclusive ownership of the Hujra; whereas, the complainant is admitted owner of veranda of such Hujra. The local inhabitants of the village had unanimously decided to reconstruct the common Hujra which decision was opposed by the accused on the score of claiming its exclusive ownership. The Hujra was set on fire by the accused at night which caused huge financial loss to the community. Resultantly, FIR bearing No. 08 dated 15-03-2022 was registered under Sections 436/427 of the Pakistan Penal Code 1860 in Police Station Kurez Boya. Accused later on arrested is behind the bar that necessitated presentation of post arrest bail petition which is under consideration.</p> <p>4. Learned counsel for accused/petitioner and learned Senior Public Prosecutor for State were heard at length and file gone through.</p> <p>5. This is tentative assessment of record available on file as deep appreciation is not required at this stage. The incident has been reported with considerable delay of two long days and the explanation thereof is seemingly unsatisfactory. Though the incident has been witnessed by the residents but none of them had seen the accused</p>

  
**SAYED FAZAL WADOOD**  
 Addl. District Sessions Judge  
 Orakzai at Hangu

committing the alleged crime. These facts renders the case of accused as that of further inquiry.

6. For what has been discussed above, instant bail petition stands allowed subject to furnishing bail bonds to the tune of Rupees Eighty Thousands (80,000/-); with two sureties; each in the like amount; to the satisfaction of this Court. 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,  
AD&SJ, Orakzai at Baber Mela