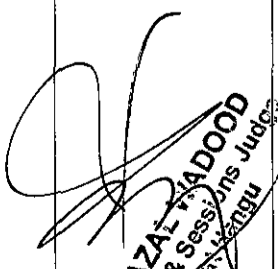


IN THE COURT OF ADDITIONAL SESSIONS JUDGE ORAKZAI, AT BABAR MELA

BBA No. 43/4 of 2022

Syed Muhammad Abbas and Others Vs State

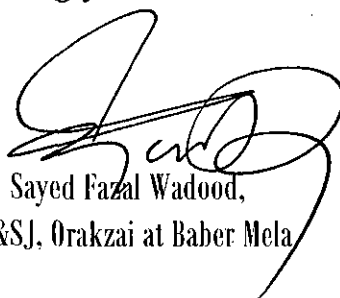
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
1	2	3
Order	18.05.2022	<p>Accused/petitioners on ad-interim pre-arrest bail along with counsel and Sr. PP for State are in attendance.</p> <p>2. Arguments have been heard; whereas, this is the disposal of Pre arrest bail application presented by accused/petitioners Muhammad Abbas son of Syed Muhammad Kaleem resident of Qaum Mishti, Tappa Chappar, District Orakzai and Fateh Muhammad son of Gothi Khan resident of Shapoor District Shangla.</p> <p>3. Brief facts of the case are such that mine accident has been occurred in extraction of coal mine in Mine No. 4 which is owned by Syed Muhammad Abbas son of Syed Muhammad Khalil located in the leasing area of Mr. Shaheen. This untoward incident has taken precious lives of three mine workers. The last known reason of such incident reported by the Inspector of Mines Orakzai is violation of prescribed safety measures. The complainant assigned the reason of incident as leakage of water supply pipes. The happening was recorded vide Naqalmad No. 10 dated 19-04-2022. Consequently, FIR bearing No. 11 dated 27-10-2021 was registered in Police Station of Kurez Boya of Orakzai by attracting Section 322 of the Pakistan Penal Code, 1860. The petitioners moved the Court with application for pre-arrest bail which is under consideration.</p> <p>4. Arguments of counsel for the accused/petitioners and learned Sr.PP for State heard and record perused.</p> <p>5. On tentative assessment of record, it reveals that violation of prescribed standard of safety measures has been done and leakage of water aggravated the risk that had taken the precious lives of 03 mines workers. All of the petitioners have specifically been charged during technical</p>

  
**SAYED FAZAL HAIDOOD**  
 Additional Sessions Judge  
 Orakzai District

assessment. Above all, neither mala fide nor intention to disgrace and dishonor the accused on part of the complainant or prosecution is being surfaced.

6. For what has been discussed above, instant pre arrest bail petition stands dismissed. Ad-interim pre arrest bail earlier granted to the accused/petitioners 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,  
AD&SJ, Orakzai at Baber Mela