

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

BBA No. 82/4 of 2022

Muhammad Zubair 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	07.09.2022	<p>Accused/petitioner on ad-interim pre-arrest bail along with counsel and Mr. Zubair APP for the State are in attendance.</p> <p>2. This is the disposal of pre-arrest bail application presented by accused/petitioner Muhammad Zubair son of Ali Majan, resident of Qaum Mishti Tappa Mamizai Mir Ghara Tehsil Central of District Orakzai.</p> <p>3. The incident of killing was reported in Murasila by Adul Hameed Incharge Investigation DHQ Mishti Mela. Reportedly, one Muhammad Zubair son of Ali Majan has committed the murder of Pirbat Khan son of Mir Ahmed Khan who was shifted to DHQ Hospital Mishti Mela. The contents of Murasila have been converted into FIR bearing No. 17 dated 29.04.2022; registered in Police Station Mishti Mela by attracting sections 302 of Pakistan Panel Code, 1860. The accused presented pre-arrest bail petition, which is under consideration.</p> <p>4. It is worth mentioning that complainant, father and son of deceased have recorded joint statement and they are not charging the accused and have got no objection over his release on bail. Appointment of commission for recording statement of the widow was also allowed but it has been reported that she (widow) has refused statement in favor of accused. Hence, the compromise is incomplete and cannot be considered at this stage of bail before arrest.</p> <p>5. Arguments of counsel for the accused/petitioner and APP for State assisted by learned heard and record perused.</p> <p>6. On tentative assessment of record, it reveals that motive in shape of financial dealing is existing. The petitioner has specifically been named in the contents of</p>

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

FIR. Incriminating material has been recovered from the spot. Above all, neither mala fide nor intention to disgrace and dishonor on part of the complainant or prosecution is being surfaced.

7. For what has been discussed above, instant pre arrest bail petition stands dismissed. Ad-interim pre-arrest bail earlier granted 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.

8. Announced in open Court.

  
Sayed Fazal Wadood,  
AD&SJ, Orakzai at Baber Mela