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

BBA No. 90/4 of 2022  
Mumtaz Gul 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	12/09/2022	<p>Accused/petitioner on ad-interim pre-arrest bail and APP for State are in attendance. Complainant was present on previous date and submitted W/N in favor of Abid Ali Advocate. Today neither complainant nor counsel on behalf of complainant is in attendance. Arguments on behalf of accused/petitioner and prosecution heard.</p> <p>2. This is the disposal of Pre arrest bail application presented by accused/petitioner Mumtaz Gul son of Sherin Gul, resident of Qaum Jeerab, Samana of District Orakzai.</p> <p>3. Local Police have charged the accused for criminal trespass to the house of complainant, demolishing her house and causing damage to household articles lying therein and they were not allowing the complainant party to take their luggage from the house. Resultantly, criminal law was brought into motion and FIR bearing No.57 dated: 10-12-2020 was registered u/s 447/427/3547/147/149 of the Pakistan Penal Code, 1860 in Police Station, Ghiljo Orakzai. Present accused 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 anyone including complainant. There is unexplained delay of 03 days in the occurrence and report. The rule of consistency is also applicable as the co-accused have been granted bail followed by acquittal on conclusion of trial. Similarly, the sections of law in the FIR are bailable and the grant of bail is the matter of right not concession. The offences leveled are also not attracting prohibition.</p> <p>5. For what has been discussed above, instant pre arrest bail petition stands allowed. Ad-interim pre arrest bail</p>

  
**SAYED FAZAL WADOOD**  
Adm. District & Sessions Judge  
Orakzai/Hangu

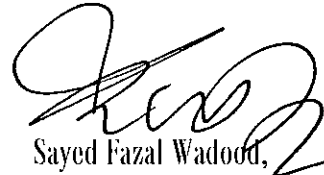
(4)

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earlier granted to the accused/petitioner 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&SJ, Orakzai at Baber Mela