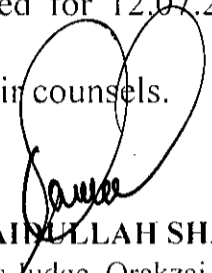
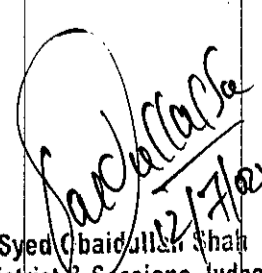


IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Khaista Gul vs State etc

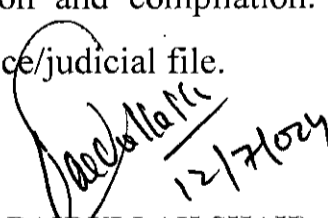
Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.04	09.07.2024	<p>The case was fixed for 08.07.2024 which was declared a public holiday on account of 1st Muharram Ul Haram vide notification No. 5709-733 Dated Pesh the 05/07/2024 of Peshawar High Court, Peshawar; therefore, it is requisitioned and listed for 12.07.2024. Notice be issued to the parties and their counsels.</p> <p align="right">  (SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela </p>
Order No.05	12.07.2024	<p>DPP, Umar Niaz for the State present. Accused/petitioner, Khaista Gul on ad-interim pre-arrest bail in person with his counsel present. Complainant, Rasool Badshah in person with his counsel present.</p> <p>(2). The above-named accused/petitioner seeks confirmation of ad-interim pre-arrest bail in case FIR No. 10, Dated 09.06.2024, u/s 406 PPC of Police Station Daboori, wherein as per contents of FIR, the complainant, Rasool Badshah made a report to the local police vide DD No. 9, Dated 31.05.2024 to the fact that he being a Government contractor, got a contract from one, Liaqat Ali. An agreement deed was signed between him and a private Tikadar Meer Abbas, on the grounds that Meer Abbas has purchased a crush machine plant worth Rs. 22,70000/- which was repaired/renovated by spending Rs. 24,30,270/ with the consent of Meer Abbas where after they became co-partners sharing equal loss and profit. Besides that the complainant has also paid debt of Rs. 645,000/- liable to be paid by Meer Abbas to one Khaji. The complainant appointed the</p> <p>  Syed Obaidullah Shah District & Sessions Judge Orakzai at Baber Mela </p>

2

8

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Khaisa 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
		<p>accused/petitioner as a watchman and handed over a licensed Kalashnikov to take care of the plant and its running machineries. The accused/petitioner with the connivance of Meer Abbas had taken the plant and kept the Kalashnikov in his (accused/petitioner) possession. The matter was referred and inquired by local police, on the basis of which the instant FIR was registered.</p> <p>(3). I heard arguments and perused the record.</p> <p>(4). Perusal of the case file reveals that though the accused/petitioner is not directly nominated in the FIR but the recovery of Kalashnikov has been effected from his possession. Counsel for the accused/petitioner failed to point out any malafidi or ulterior motive on behalf of police or the complainant for falsely implicating the accused/petitioner. In these circumstances, the accused/petitioner is not entitled to the extraordinary concession of bail; hence, the instant BBA petition is dismissed and ad-interim bail earlier granted to the accused/petitioner vide order 27.06.2024, is recalled.</p> <p>Order announced. File of this court be consigned to record room after its completion and compilation. Copy of this order be placed on police/judicial file.</p> <p>Dated: 12.07.2024</p> <p style="text-align: right;"> (SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela</p>

