


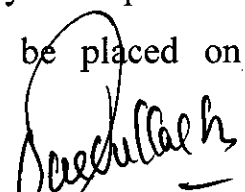
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Serial No of order or proceedings	Date of Order Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.02	26.07.2024	<p>DPP, Umar Niaz for the State present. Accused/petitioners, Hazrat Umar on ad-interim pre-arrest bail in person with his counsel present. Record received. Complainant Said Ameen also present in person. Mr. Abid Ali Advocate present and submitted Wakalatnama on behalf of complainant. Placed on file. He seeks time for arguments. Allowed. Case file be put up for arguments on 31.07.2024.</p> <p style="text-align: right;"> (SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela</p>
Order No.03	31.07.2024	<p>DPP, Umar Niaz for the State present. Accused/petitioners, Hazrat Umar on ad-interim pre-arrest bail in person with his counsel present. Complainant Said Ameen along with his counsel also present in person.</p> <p>The above-named accused/petitioner seeks confirmation of his ad-interim pre-arrest bail in case FIR no. 26, dated 20.05.2024, u/s 334/337-A(i)/337-A(iii)/337-F(iii)/337-L (2)/147/149 PPC of Police Station Mishti Mela wherein, the accused Said Ameen, being complainant in Daily Diary No. 22 of 15.04.2024 at about 2120 hours made a report to the police to the fact that on eventful day he was present near his residence where the present accused/petitioner and his accomplices redirect rainwater towards his fields. Upon being called to stop by the complainant, accused Mir Bat Khan criminally intimidated him (complainant) by making aerial firing</p>

(4)

IN THE COURT OF DISTRICT & SESSIONS JUDGE, ORAKZAI
AT BABER MELA

Case Title: Hazrat Umar VS State etc

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Contin. Order No.03		<p>while two persons assaulted him with stones and sticks, as a result of which he, his cousin and nephew received injuries.</p> <p>On the same day, as per the FIR details, the complainant/injured Aqal Wazir at about 1830 hours vide DD no. 21 has also made a report to the police to the fact that earlier at 1745 hours, accused Said Ameen along with co-accused were digging the bank of Pehlwan Talab with spades and picks, causing water to flood onto the main road near their house, damaging the road. When the complainant intervened, they became enraged and attacked the complainant with stones and sticks, as a result of which they got received injuries. Hence, the present FIR.</p> <p>I heard arguments and perused the record.</p> <p>Perusal of the case file reveals that the accused/petitioner has directly been charged in the FIR. He remained fugitive from law for more than 02 months and his presence on the spot has been established. 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 the instant case. 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 23.07.2024 is recalled.</p> <p>Order announced. File of this court be consigned to record room after its necessary completion and compilation. Copy of this order be placed on file judicial/police file.</p> <p>Dated: 31.07.2024</p> <p style="text-align: right;"> (SYED OBALDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela</p>

