

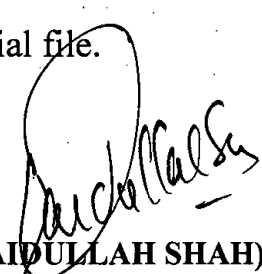
Serial No of order or proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	2	3
Order No.02	16.04.2025	<p>DPP, Umar Niaz for the State and Sana Ullah Khan Advocate for accused/petitioner present. Accused/petitioner, Tabeeb Khan on ad-interim pre-arrest bail in person present. Partial record received. Complainant is also not in attendance. Parwa^{na} issued for requisitioning the record returned with a report that the original record is in the DC's office. Be requisitioned afresh from DC, Orakzai. Complainant also be summoned afresh for 23.04.2025.</p> <p>(SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela</p>
Order No.03	23.04.2025	<p>DPP, Umar Niaz for the State and Sana Ullah Khan Advocate for accused/petitioner present. Accused/petitioner, Tabeeb Khan on ad-interim pre-arrest bail in person present. Complete record received. Complainant is also not in attendance.</p> <p>The above-named accused/petitioner seeks confirmation of his ad-interim pre-arrest bail in case FIR no. 47, Dated 21.08.2024, u/s 56/42 Khyber Pakhtunkhwa Mineral Act of Police Station Kalaya, wherein, as per contents of FIR, the complainant on 21.08.2024 made a report to the local police to the fact that on the eventful day the accused/petitioner was found</p>

(4)

IN THE COURT OF SESSIONS JUDGE, ORAKZAI AT BABER MELA

Case Title: Fabib Khan VS State etc

FIR no. 47, Dated: 21-08-2024, u/s 5442 KP.M. At PS Kurek

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
Contin. Order No.03		<p>in unauthorized mining and excavating the minerals without any license. Hence, the present FIR.</p> <p>Arguments heard and record perused.</p> <p>Perusal of case file shows that though the accused/petitioner is directly nominated in the FIR but the offense for which the accused/petitioner is charged does not fall within the prohibitory clause of section 497 CrPC. If the case is otherwise fit for regular bail, the rejection of BBA would be a futile process. In these circumstances, no useful purpose of the prosecution would be served to commit the accused/petitioners to police custody except the probability of injustice harassment of the police. Accordingly, the BBA petition in hand stands accepted and the ad-interim bail earlier granted to the accused/petitioner is confirmed on the existing bonds.</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: 23.04.2025</p> <div style="text-align: right;"> (SYED OBAIDULLAH SHAH) Sessions Judge, Orakzai at Baber Mela</div>

