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ARSHAD UMAR ETC VS STATE

FIR no. 06, dated 24.04.2025, u/s 188 PPC, PS Dabori

**IN THE COURT OF BAKHT ZADA ADDITIONAL SESSIONS JUDGE-
I, ORAKZAI AT BABER MELA**

Bail Before Arrest App: No : 41/4 of 2025

Date of Institution : 02.05.2025

Date of Decision :06.05.2025

ARSHAD UMAR ETC VS THE STATE

ORDER

06.05.2025

APP, Arif Akbar for the State present.

Accused/petitioners (1) Arshad Umar s/o Injeer Gul

(2) Janan Khan s/o Noor Baz Khan (3) Muhammad

Naseer s/o Noor Afzal (4) Hakeem Gul s/o Janan Gul

(5) Abdul Sahib s/o Feroz Khan All R/o Mula Khel

Tehsil Upper, District, Orakzai on ad-interim pre arrest

bail along Khursheed Alam Advocate present.

- (2). Accused/petitioners named-above are seeking confirmation of their already granted ad-interim pre-arrest bail in case FIR no. 06, dated 24.04.2025 u/s 188 PPC of police station Dabori, District, Orakzai.

- (3). Facts of the case as per report are that the complainant Additional Assistant Commissioner sent a written application in shape of Murasila through constable Said Munir No. 913 to the effect that residence and elders of Village Pukhtanye Caste Mula Khel, Upper Orakzai have refused to give Polio vaccination to their children as usual on the pretext that they are demanding to start construction work on Misthi Mela to Dabori road. Detail discussion in presence of

Signature
6.5.25
BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

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representative of C&W Department was held and the construction work could not be start due to internal dispute of the locals. The complainant has recommended 13 persons including the present accused/petitioners for making hindrances in the Polio campaign.

- (3). Arguments heard and available record perused which shows that 13 persons have been charged in the instant FIR including public servants, who were on their duties at the relevant day. The time of refusal of the present accused/petitioners is not known. As per contents of the FIR, the whole village has refused to give Polio vaccines to their children, but only 13 persons have been charged without mentioning any evidence against them in the FIR. Today all the accused/petitioners undertook that they are not involved in the offence and there will be no repetition of such like complaint in future. The offence does not involve moral turpitude and the FIR is silent about any action done by the accused/petitioners which has endangered the public safety. No recovery or custodial interrogation is required in the instant case. The complaint of the Polio workers regarding refusal of the accused/petitioners to administers Polio vaccine on their children is neither mentioned in the Murasila nor the same is annexed with the report. Furthermore, the offence carries punishment only up to 01 year. Keeping

Daker
6.5.25
BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

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in view the above facts and circumstances, I hereby confirmed the already granted Ad-interim pre- arrest bail is hereby confirmed on the strength of existing bail bonds.

- (4) Copy of this order be placed on police/judicial file. Record be returned to the quarter concerned while file of this court be consigned to record room after its completion and compilation.

Announced
06.05.2025

Bakht Zada
6.5.25

BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela