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BA No. 180/4 of 2026

INAYAT SHAH VS THE STATE

FIR No. 48, Dated 22.06.2026, u/s 379/148/149 PPC,
Police Station: Mishti Mela

IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE/JUDGE SPECIAL COURT, ORAKZAI
AT BABER MELA

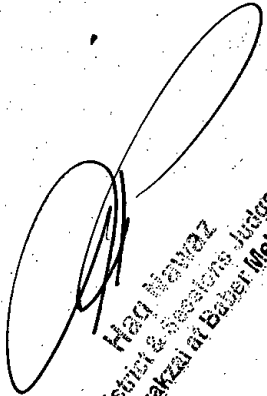
Bail Application No. : 180/4 of 2026
Date of Institution : 08.08.2026
Dated of Transfer-In : 17.08.2026
Date of Decision : 19.08.2026

ORDER

Sana Ullah Khan Advocate for accused/petitioner,
Shah Hussain Advocate for complainant and Sr. PP,
Abul Qasim for the state present. Arguments heard
and record perused.

2. Accused/petitioner, **Inayat Shah** s/o Ghazi Man
Shah seeks his post-arrest bail in case FIR No. 48,
Dated 22.06.2026, u/s 379/148/149 PCC of Police
Station Mishti Mela. As per contents of the FIR, the
complainant, Amar Badshah, made a report to the
local police on 22.06.2025 at 1250 hours to the effect
that he had taken his two cows for grazing to a
nearby mountain on 24.05.2026 but it did not return
till dawn. He further reported that after due
satisfaction, he came to know that the
accused/petitioner and co-accused have stolen and
taken his cows. Hence, the present FIR.

3. Counsel for the petitioner argued that there is delay
of almost 29 days in lodging the FIR and there is no
source of information. He further argued that the


Haq Nawaz
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recovery has not been effected from direct possession of the accused/petitioner and the co-accused has already been released on bail. He, therefore, requested for acceptance of the bail instant petition.

4. On the other hand, learned Sr. PP assisted by counsel for the complainant opposed the application and requested for its dismissal.

5. After hearing both the parties and perusal of the record, it was found that though there is sufficient delay in lodging the FIR, but the stolen cows were recovered from the house of the petitioner. The said fact differentiates his role from the accused, Islam Uddin, who has been admitted to bail. Needless to mention that one of the other co-accused namely Muhammad Israfeel was extended the concession of bail on the basis of compromise on payment of sufficient cost to the complainant.

6. In view of the above, the accused/petitioner is not entitled for the concession of bail at this stage of the case. Accordingly, for the stated reasons, bail petition in hand stands dismissed being meritless.

7. Copy of this Order be placed on police/judicial file. File of this Court be consigned to record room after its necessary completion and compilation.

Announced:
19.08.2026

(H.A. NAWAZ)
Sessions Judge, Orakzai
at Baber Mela