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SAMI ULLAH VS STATE

FIR no. 54, dated 26.09.2024, u/s 419/420/471 PPC, PS Mishti Mela

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

Bail Application No : 9/BBA of 2024
Date of Institution : 05.11.2024
Date of Decision : 22.11.2024

SAMI ULLAH VS THE STATE

ORDER

22.11.2024

Sr.PP, Abul Qasim for the State present.

Accused/petitioner, Sami Ullah on ad-interim pre arrest bail along counsel Mr. Abid Ali Advocate present.

(2). Accused/petitioner, Sami Ullah s/o Shaheen is seeking his pre-arrest bail in case FIR no. 54, dated 26.09.2024 u/s 419/420/471 PPC of police station Mishti Mela

(3). Facts of the case are that, the local police of PS Mishti Mela arrested after recovery of one computerized service card, of CTD Police Department, in his name. The accused also introduced himself as employee of the CTD police regarding which inquiry of the CTD police Kalaya was made, who confirmed that there is no constable in the Nusrat Amin s/o Star Zai in CTD police. The card was taken into possession and he was charged u/s 419/420/471 PPC in the above-mentioned FIR.

(4). During investigation accused Nusrat Amin disclosed that the said card was prepared and printed for him by

Baker
22.11.24
BAKHT ZADA
Addl. District & Sessions Judge-1,
Orakzai at Hangu

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one, Amjid Nawaz who is working in the Canteen of the District Headquarter, Orakzai at Baber Mela. Said Amjid Nawaz on 10.10.2024 in his statement u/s 161 Cr. PC disclosed that he is working as employee of one Sami Ullah (present petitioner) in the canteen situated at Baber Mela and that he is prepared the said card at the direction of Sami Ullah present accused/petitioner.

(5) Arguments heard and available record perused which shows that the present accused/petitioner is not directly charged in the FIR, no recovery has been effected from his personal possession or from his canteen. Astonishingly the present accused/petitioner is charged after 25 days of the lodging the FIR. Furthermore, the main accused namely, Nusrat Amin and co-accused Amjid Nawaz have already been released on bail and it is reported in various judgments of superior courts that if the case of accused otherwise fit for bail then keeping him in jail will serve no useful purpose. I, therefore, the instant application is accepted and the ad-interim bail earlier granted to the accused/petitioner is confirmed on the strength of existing bonds. Record be returned to the quarter concerned.

(6). Order announced. File of this court be consigned to record room after its completion and compilation. Copy of this order be placed on main file.

Announced
22.11.2024

Bakht Zada
22.11.24
BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela