

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

Bail Application No : 2/BA of 2024
Date of Institution : 15.10.2024
Date of Decision : 16.10.2024

AMJAD NAWAZ VS THE STATE

ORDER
16.10.2024

DyPP, Iftikhar Ahmad for the State present. Mr.

Sana Ullah Khan Advocate present. Record received.

Arguments heard and record gone through.

2. The accused/petitioner namely, Amjad Nawaz S/O Shahid Nawaz r/o Mishti after rejection of his bail by the learned Judicial Magistrate-II, Kalaya vide his order dated 14.10.2024 seeking in his post arrest bail in case FIR No. 54, Dated 26.09.2024, U/S 419/420/471 PPC, registered at Police Station Mishti Mela.

3. Facts of the case are that, complainant along with other police officials during routine patrolling were present on the spot where at 19:30 hours a person was stopped on the basis of suspicious, who disclosed his name as Nusrat Ameen. The said accused identified himself as CTD official by showing a computerized Service Card which was found forged on verification from the concerned branch and hence the instant FIR.

4. The main accused namely Nusrat Ameen during investigation has disclosed in his statement U/S 161 Cr. PC on 27.09.2024 that the said forged card

Handwritten signature and date:
15.10.24

BAKHT ZADA
Addl. District & Sessions Judge-I,
Orakzai at Baber Mela

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was prepared for him by the present accused/petitioner Amjad Nawaz.

5. Arguments heard and available record perused which shows that the present accused/petitioner is not directly charged in the FIR, rather he is charged in the statement of main accused Nusrat Ameen recorded U/S 161 Cr. PC. The main accused Nusrat Ameen has already been released on bail by the Hon'ble Sessions Judge, Orakzai on bail vide his order dated 07.10.2024. There is no previous history of the present accused/petitioner regarding involvement in such like cases. Accused has not confessed his guilt before the court of law. The punishment for the offence for which the accused/petitioner is charged does not falls under the prohibitory clause of Section 497 Cr. PC. Furthermore, the principle of consistency is also there because the main accused Nusrat Ameen has already been released on bail, therefore, I hereby accept the instant bail petition subject to submission of bail bonds in the sum of Rs. 80,000/- with two sureties each, each in the like amount to the satisfaction of court. The sureties must be local, reliable and men of means.

6. Copy of this order be placed on police/judicial file. Case file be consigned to the record room after its necessary completion and compilation.

Announced
16.10.2024

Bakht Zada
16.10.24
BAKHT ZADA
Additional Sessions Judge-I, Orakzai
at Baber Mela