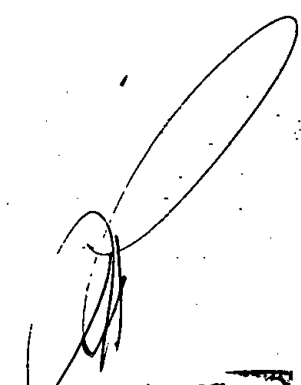


IN THE COURT OF HAQ NAWAZ,
SESSIONS JUDGE, ORAKZAI AT BABER
MELA

Bail Application No. : 5/4 of 2026
Date of Institution : 03.01.2026
Date of Decision : 09.01.2026

ORDER

Sana Ullah Khan Advocate for accused/petitioner and Sr. PP, Abul Qasim for the State present. The father of the deceased namely Hashim Khan appeared through video link from Damam, Saudi Arabia. He stated that he is father of the deceased Sulaiman. His son Muhammad Yajid was charged for his murder in case FIR No. 43, dated 04.06.2024, u/s 302 PPC at Police Station Kalaya. The FIR was registered against him due to firing erroneously upon his brother. The deceased was unmarried. He has forgiven the accused Muhammad Yajid and waived off my rights of Qisas and Diyat. His wife Mst. Gulfa Jan has also forgiven the accused and has submitted written compromise. To this effect, his statement recorded and placed on file.


Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

2. Accused/petitioner, **Muhammad Yajeed** S/O Hashim Khan seeks his post-arrest bail in case FIR No. 43, Dated 04.06.2024, u/s 302/100 PPC of Police Station Kalaya. As per contents of FIR, the

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BA NO. 5/4 of 2026

MUHAMMAD YAJEED VS THE STATE

FIR NO: 43, DATED: 04.06.2024, U/S 302/100 PPC,

POLICE STATION: KALAYA

local police, while responding to information regarding the incident, rushed to THQ Hospital and found the dead body of Salman in the emergency room. The brother of the deceased namely Meenza Khan made a report to the local police on 04.06.2024 at 03:45 hours that he along with other inmates of the house were asleep in their house while his brother Muhammad Yajeed was asleep in a hujra next to their house on the eventful night when he heard reports of fire shots from the hujra; at which he rushed towards the hujra and spotted his brother Muhammad Yajeed in possession of a rifle while his brother Salman smeared with blood on the roof of a bathroom. The complainant further reported that Muhammad Yajeed disclosed that someone knocked the door of their hujra at 01:00 hours and he took his rifle and moved towards the gate when he saw a person climbing the wall; he called the person but he, instead of replying, turned on the mobile flashlight; he mistook him for a thief and made firing upon him who got hit and fell down; he discovered that the person who fell down was his brother Salman, who had gone to the house of his relative namely Irshad after dinner.



Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

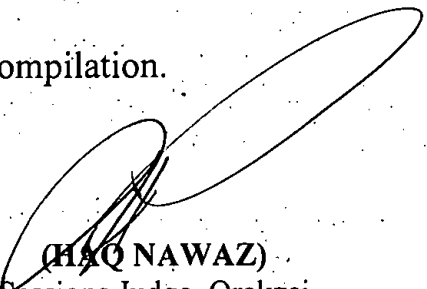
3. It is evident from the perusal of FIR that the accused/petitioner was charged for Qatl-e-Khata of his brother namely Sulaiman which attracts section 319 PPC. The offence is compoundable in nature.

The deceased was unmarried and both of his legal heirs/parents have effected compromise with the accused/petitioner and have pardoned him by waiving off their rights of Qisas and Diyat.

4. In view of the above facts, the accused/petitioner is admitted to bail subject to submission of bail bonds to the tune of Rs. 100,000/- with two sureties each in the like amount to the satisfaction of this Court. The sureties must be local, reliable and men of means.

5. 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:
09.01.2026


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela