

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

Bail Application No. : 195/4 of 2026
Date of Institution : 18.07.2026
Date of Transfer-In : 18.08.2026
Date of Decision : 21.08.2026

ORDER

Noor Karim Advocate for accused/petitioner,
Shaheen Muhammad Advocate for complainant
and Sr. PP, Abul Qasim for the State present.
Arguments heard and record perused.

2. Accused/petitioner, **Rafi Ullah** s/o Yousaf Gul
seeks his post arrest bail in case FIR No. 18, Dated
28.07.2025, u/s 302 PPC of Police Station Ghiljo.
As per contents of the FIR, the local police, while
responding to information regarding the
occurrence, rushed to Civil Hospital on 27.07.2025
and found the dead body of Khaliq Noor in the
emergency room. The uncle of the deceased
namely Wali Noor made a report to the local
police at 2220 hours that he was present in near his
house at the time of Asar prayer at 1845 hours
when Javid Mula met him and informed him that
his nephew has been murdered and his dead body
is lying in markaz of Nabi Mula. The complainant
further reported that he along with other family


Haq Nawaz
District & Sessions Judge
Orakzai at Baber Mela

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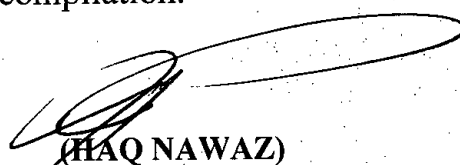
members immediately went to the markaz of Nabi Mula and found the dead body of Khaliq Noor. He charged unknown accused for the commission of offence. Later on, the father of deceased namely Ashiq Noor charged the accused/petitioner for the murder of his son in his statement recorded u/s 164 CrPC on 22.09.2025.

3. After hearing both the parties and perusal of the record, it was found that though the accused/petitioner was not directly charged in the FIR; however, he was charged by father of the deceased in his statement recorded u/s 164 CrPC on 22.09.2025. The offence falls under the prohibitory clause of Section 497 CrPC. Both the deceased and accused/petitioner were students in a religious madrassah and the accused/petitioner has admitted the commission of offence in his statement recorded u/s 161 CrPC.

4. In such circumstances, the petitioner is not entitled to the concession of bail at this stage of the case. Therefore, the application is rejected.

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:
21.08.2026


(HAQ NAWAZ)
Sessions Judge, Orakzai
at Baber Mela