

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.4945 of 2022

Jamir Khan @ Zameer Khan

....

Petitioner

Mr. A. Tripathy
Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. P.K.Maharaj
Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER
15.7.2022.

Order No.

03.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. The Petitioner is in custody since 27th January, 2022 in connection with Nayagarh P.S. Case No.10/2022 corresponding to G.R. Case No.52/2022 pending in the court of learned S.D.J.M., Nayagarh, for the alleged commission of the offence under Sections 341/323/363/366/34 of I.P.C. read with Section 27 of the Arms Act.
4. It is alleged that the Petitioner and some other persons forcibly kidnapped the victim. The statement of the victim

recorded under Section 161 of Cr.P.C. does not tally with the statement recorded under Section 164 of Cr.P.C.

5. Learned State counsel has obtained instructions through the I.I.C. of Nayagarh P.S. that the victim had given her statement under Section 164 of Cr.P.C. without any fear or pressure from any quarter whatsoever.

6. Considering the submissions as above and the period of detention in custody of the Petitioner, I am inclined to allow the prayer for bail. Let the Petitioner be released on bail on such terms and conditions as may be imposed by the court in seisin over the matter in the aforesaid case including the condition that he shall not threaten, coerce or pressurize the victim in any manner whatsoever, he shall not make any attempt to contact the victim, he shall appear before the court below on each date of posting of the case without fail and even in a single default, the said court shall pass appropriate orders to take him to custody again.

7. The BLAPL is disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB

(Sashikanta Mishra)
Judge

