

S.l No.	Date of Order of proceeding	Order with signature of court The court of C.J.M Ramgarh Ramgarh P.S case No.164 of 2022 CNR-JHRG030033882022	Office notice taken with date
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	<u>16-11-2022</u>	Today the release petition vide MCA No. 1800 of 2022 dated 14-10-2022 has been filed on behalf of registered owner of seized Tractor bearing registration no. JH01EG9339 bearing chassis no.MBNABAEXKLRE02568, Engine no. RLE2EAN1643 along with Trolley namely Mukesh Kumar Singh S/O- Awdhesh Kumar Singh and is pressed for hearing. Heard both the sides through physical mode and perused the case record. This case has been registered U/sec. 379/414/120-B of I.P.C and U/sec. 21 M.M.D.R 1954 Act and 54 of JMMC Rule 2004 Act. Learned counsel appearing on behalf of the petitioner submitted that petitioner is the registered owner of the seized vehicle. The vehicle was seized by Ramgarh Police Station and kept in the open premises. It is further submitted that no petition for release was filed on behalf of the petitioner in this court or any superior court and no such petition is pending before any court of law. The petitioner is suffering irreparable loss due to seizure of the his commercial vehicle. It is	

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	<u>Contd.</u> 16-11-2022	further submitted that the petitioner has submitted relevant documents in this regard and the petitioner undertakes to produce the vehicle before the court whenever or wherever as per requirement of this court and also undertakes that he shall not dispose or alter or change the colour of the vehicle. Therefore, vehicle may kindly be release in his favour. On the other hand, Ld. A.P.P has mildly opposed the prayer of release petition. Heard both the sides and perused the case record along with the report submitted by the investigating officer of this case. On perusal of the case record it appears that this case is registered U/sec. 379/414/120-B of I.P.C and U/sec. 21 M.M.D.R 1954 Act and 54 of JMMC Rule 2004 Act. Further it appears that the petitioner namely Mukesh Kumar Singh is the registered owner of the seized Tractor bearing registration no. JH01EG9339 bearing chassis no.MBNABAEXKLRE02568, Engine no. RLE2EAN1643 along with Trolly and if the vehicle is released in his favour he has no objection on it . No confiscation proceeding has been started. The driver of	

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	<u>continued</u> 16-11-2022	this case has also been released on bail by this court. Further, on perusal of the case record it appears that the petitioner has also filed original certificate of registration of the seized vehicle, certificate of insurance cum-policy schedule, Permit, Pollution under Control certificate, Road Tax, Tax Receipt, Adhar card, which were cross checked from the xerox copy of certificate which shows that the petitioner namely Mukesh Kumar Singh is registered owner of the said vehicle. Further the original documents have been returned to the owner of the vehicle. Regard being had to the aforesaid facts and circumstances of the case, only seized Tractor bearing registration no. JH01EG9339 bearing chassis no.MBNABAEXKLRE02568, Engine no. RLE2EAN1643 is hereby released in favour of owner of the vehicle namely Mukesh Kumar Singh on furnishing indemnity bond of Rs. 6,00000/-(Rupees Six Lakhs) with one surety and not trolly and sand with condition that he will neither sell/alienate or destroy the vehicle nor change its nature till disposal of	

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	<u>continued</u> 16-11-2022	the case and produce the same as and when required by the court . Dictated S/d- (Kusum Kumari) C.J.M	