

Order below Exh.8 in Sess.Case no.447/2024
(CNR NO.MHSN170020272020)
(State of Maharashtra Vs.Rohit Ananda Mali)

1. This is an application for return of property under Section 451 of the Code of Criminal Procedure. The State filed its say at Exh.13. Read the application and say. Heard both sides. Perused the record.

2. It is not disputed that CD-100 STD Hero Honda Motorcycle bearing No.MH-10-L-7186 is seized in crime No.106 of 2023 by Chinchani Wangi Police Station under Section 302, 307, 323, 506 of Indian Penal Code. It is also not disputed that the applicant Arun Shankar Yadav is registered owner of the said vehicle. The vehicle was seized from the accused. Copy of the registration certificate shows that the vehicle is standing in the name of applicant. It is not the case that the said vehicle is required for any examination or in the trial. If it is not handed over to its registered owner, it would lie in the police station and will reduce to scrap. Therefore, it is necessary to return it to the applicant. Accordingly, I pass the following order :-

ORDER

1. Application Exh.8 is allowed.
2. CD-100 STD Hero Honda Motorcycle bearing No.MH-10-L-7186 is seized in crime No.106 of 2023 by Chinchani Wangi Police Station under Section 302, 307, 323, 506 of Indian Penal Code shall be handed over to applicant

Arun Shankar Yadav on executing indemnity bond of Rs.50,000/- and on condition that, he shall not transfer it to third party and shall not change its appearance. He shall produce it as and when required by the Court. The vehicle shall handed over after taking its photograph from all sides at the expenses of the applicant.

3. Application is disposed of.

Vita
dt.16.07.2024

(R.R.Bhagwat)
Additional Sessions Judge,Vita.

CERTIFICATE

I affirm that, the contents of this P.D.F. file, are same word to word, as per the original order.

Name of Stenographer	: S.V.Agnihotri (Steno Grade-I)
Court	: DJ-1 & Addl. Sessions Judge, Vita
Date of order	: 16.07.2024
Signed by Presiding officer on	: 16.07.2024
Uploaded on	: 16.07.2024