

The Court of C.J.M., Jamshedpur

Schedule XLII-

No.(J) 9a (Old (M) 164)

Sl. No.	Date of order of proceeding	Order with the signature of the court	Office action taken with date
1	2	3	4
	Later on 19.10.22	Sakchi P.S.-190/2022 Release petition dated 06.10.2022 having MCA No. 6842/2022 filed on behalf of the petitioner Bablu Kumar for release of vehicle (motorcycle) bearing registration no. JH 05CV-4817 having Chasis No. MBLHAW12XLHL08303 and Engine No. HA11EDLHL03920 is pressed today and the same is taken up for hearing. Copy of the same has been served upon the learned A.P.P. Heard both sides. Learned counsel for the petitioner appeared and submitted that petitioner is the registered owner of the said vehicle ,which was seized by Sakchi P.S. and kept in open space , which is likely to be damaged due to sun and rain. It is further submitted that the petitioner is facing inconvenience because of unavailability of his vehicle and he has having all the relevant documents of the said vehicle. I.O. of this case has sent a report dated 11.10.2022 in which he stated that he has no objection in releasing the said vehicle in favour of its owner/petitioner. So, it has been prayed to release the said vehicle in favour of the petitioner. Learned A.P.P did not appear to oppose the said petition. On perusal of the record, it appears that this case has been instituted for the offences punishable u/s 414/34 of Indian Penal Code against six accused persons. Further, on perusal of all the documents	

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	contd. 19.10.22	filed by the petitioner such as RC, insurance paper and Aadhar card etc.,it appears that petitioner is the registered owner/claimant of said vehicle which is kept in open sky of Sakchi P.S. Moreover, there is no any other claimant of the said vehicle, which has been seized in this case. Hence, in the above facts and circumstances of the case and in light of the spirit of law and guideline for release given by the Hon'ble Apex Court in the ruling of Sunder Bhai Ambalal Desai Case,2002, the said vehicle (motorcycle) bearing registration no. JH 05CV-4817 having Chasis No. MBLHAW12XLHL08303 and Engine No. HA11EDLHL03920 is released in favour of the owner/petitioner namely Bablu Kumar on furnishing indemnity bond of Rs.61,000/- with one surety of the like amount on proper verification and identification with direction that he will not mortgage, sell or change the nature and colour of the said vehicle till disposal of the case and the owner will produce the said vehicle before the court as and when required. (Dictated) (Nishant Kumar) C.J.M.,Jamshedpur JO Id: 0577	
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