

Case called out.

VEHICLE RELEASE ORDER

This is an application filed by the applicant U/Sec. 503 of B.N.S.S., with a prayer to release the **Motor Cycle bearing Registration No. KA-47/R-1555**, which has been seized and in custody of the Manki Police.

The learned APP has filed objection and stated that the vehicle might be used for any other offence, hence prayed to reject the application of the applicant.

Heard, both sides and perused the documents produced by the applicant and also the case papers on record.

The applicant has contended in his application that, he is the owner of the said vehicle and it is necessary for his day to day use and he is entitled for the custody of the same. He is ready to execute bond and also ready to abide by any all conditions that may be imposed by this Court.

On perusal of documents it appears that, the applicant is the RC Owner of the **Motor Cycle bearing Registration No. KA-47/R-1555**, and nobody claimed rights over the alleged vehicle. The applicant has stated that, vehicle is used for the livelihood of the

applicant.

If the vehicle is let to be in the custody of the police, the police may be unable to take proper care of the vehicle. The applicant being the owner of the said vehicle can take care of the vehicle and also can keep the same intact.

It was held in “**Sunderbhai Ambalal Desai V/s State of Gujarath**”, (2002) 10 SCC 283 that “ whatever be the situation, it is of no use to keep such seized vehicles at the police stations for a long period. It is for the magistrate to pass appropriate orders immediately by taking appropriate bond and guarantee as well as security for return of the said vehicles, if required at any point of time.”

Therefore, in view of the above discussion and the settled law laid down in Sunderbhai's case, this court is of the opinion that the vehicle seized has to be given to the interim custody of the applicant. However, the apprehension expressed by the learned APP can be met out by imposing certain consideration. Hence, I pass the following:-

ORDERS

The application filed by the applicant U/Sec. 503 B.N.S.S., is hereby allowed.

C.C No.968/2025.

The **Motor Cycle** bearing **Registration No. KA-47/R-1555** seized by Manki Police in the **C.C. No.968/2025** and reported the court under **PF. No.18/2025** is ordered to be released to the interim custody of the applicant namely Sri. Ragavendra S. Shet, on his executing an Indemnity Bond for Rs.40,000/- and furnishing surety for the like-sum with following conditions:-

1. The applicant shall produce the vehicle before the Court as and when directed.
2. The applicant shall not change the Reg. Number or structure of identity of the said vehicle.
3. The applicant shall not alienate or transfer the vehicle, in any manner till the disposal of the case.
4. The IO shall take photograph of the said vehicle, at-least from 3 angles at the cost of the applicant and that he shall prepare a mahazar in this regard. He shall keep those documents in the record.

Violation of these conditions would entail the forfeiture of the bond amount and seizure of properties.

To furnish surety and to execute Indemnity bond.

For surety
Call on: 09-07-2025

Sd/-
**Addl. Civil Judge and JMFC.,
Honnavar.**