

S.T. NO. NO.111/2024

State of Maharashtra .Vrs. Vijay @ Sonu Mahendra Sange
(CNR : MHAK010015412024)

(Applicant : Satish Mahendra Sange)

ORDER BELOW EXHIBIT NO.10

(Date : 16.09.2025)

Applicant Satish Mahendra Sange, resident of Jathar Peth, Akola, Tq. and District Akola has filed present application under Section 503 of the B.N.S.S., 2023 claiming custody of Two Wheeler i.e. Honda CB Shine, bearing registration No. MH-30-AP 259, Chasis No. ME4JC36NKE7128456, Engine No. JC36E73751697 and one Realme 8i Mobile Phone having IMEI No. 861338051378554, 861338051378547, seized by the police in connection with crime No. 54/2024, registered with Ramdas Peth Police Station, Akola, Tq. Dist. Akola for the offence punishable under section 302 of the Indian Penal Code.

2] It is submitted by the applicant that on 13.01.2024 the brother of the applicant i.e. the accused in the present crime took the above said vehicle and mobile from the applicant to use for a day. But the same are seized by the police in above said crime from him. There is no concern of the vehicle and the mobile in the alleged crime. The charge sheet is filed in the Court. The applicant needs the vehicle and mobile for his daily use. The applicant has filed the documents of ownership of the

vehicle and mobile on record. He is ready to abide by all the conditions imposed by the Court while releasing the above said vehicle and mobile on Supurtnama. Hence, she prayed accordingly.

3] Learned APP for the state filed its say at Exh.15 and strongly objected to release the above said vehicle and mobile on supurtnama, as those are the material part of the evidence.

4] Heard Learned advocate Shri M.B. Sharma for the applicant and Learned APP for the State.

5] Considering the submissions, it appears that the applicant is the brother of accused. He is the owner of the seized vehicle. However, the mobile is owned by mother of the applicant and accused. The applicant has filed documents of ownership of above said vehicle and mobile. It is pertinent to note here that during the pendency of this application the mother of the accused has filed separate application for release the mobile handset to her as the same is in her name and she is the owner. Hence, the applicant orally prayed to release only the vehicle in question on supurtnama. The applicant has produced the copy of R.C. Book. It can be seen from the registration particulars that the vehicle is in the name of applicant. If said vehicle is kept in unused condition in the Police Station, it's condition will deteriorate, likewise possibility

of causing damage to its parts also cannot be ruled out. As the vehicle is the material part of the evidence, it can be called from the applicant as and when necessary. In my opinion, no purpose will be served by keeping the vehicle in the police station. It can be released on a surety bond on imposing certain conditions. Hence. Considering the facts and circumstances of the case, I pass the following order.

ORDER

- i] Application is hereby allowed.
- ii] Two wheeler i.e. Honda CB Shine bearing registration No. MH-30- AP 259, Chassis No. ME4JC36NKE7128456, Engine No. JC36E73751697 seized by the police in connection with crime No.54/2024, registered with Ramdas Peth Police Station, Akola, Tq. Dist. Akola for the offence punishable under section 302 of the Indian Penal Code be given in custody of applicant Satish Mahendra Sange, on his executing indemnity of Rs. 50,000/- (Rupees Fifty Thousands only).
- iii] Applicant not to alienate or create any third party interest over the said vehicle till the conclusion of trial.
- iv] Applicant not to change the nature of vehicle and produce the same as and when required during the course of evidence.
- v] Investigation Officer/Police Station in-charge shall draw photographs of the vehicle and shall prepare the panchanama for the return of vehicle to the applicant with the same precaution as the panchanama for the seizure of property, before delivering the same and report compliance.

- vi] If any offence is committed by the applicant subsequently, the vehicle will be confiscated.
- viii] Inform the concerned Police Station accordingly.

Date : 16.09.2025.

(Smt. M.S.Bhadane)
Additional Sessions Judge and
Akola.

Certificate

I hereby certify that the contents of this PDF file are same word for word as per original order:

Name of Steno	:	S.V. Indane.
Court's Name	:	Ad-hoc District Judge-1 & A.S.J., Akola
Date of order	:	16.09.2025
Signed by PO	:	16.09.2025
Uploaded on	:	16.09.2025