

**ORDER BELOW EXH. 27 in Sessions Case no. 151/2023
(State V/s. Sayyed Badshah)**

1] The applicant has filed present application under Section 451 of Cr.P.C. for returning of property i.e. Vivo Company mobile Vivo V-25 pro. 12/256 seized by Georai Police Station in CR No. 59 of 2023.

2] The applicant submits that CR no. 59/2023 lodged against accused persons under Section 376(2)(n), 323, 506 of IPC and said mobile was seized from accused no. 2. The applicant is using the said mobile for his personal use. The said mobile is lying in the police station, due to which there is chances that it may damaged. The accused is ready to furnish the bond that, he will not sell, make any changes, exchange or alienate it to any third party till the conclusion of trial of present crime. He is ready to abide the conditions imposed by the court. Hence, he prayed to allow the application.

3] Notice of the present application issued to Georai Police Station. They filed their say thereby strongly objected the present application. Hence, prayed to reject the application.

4] After perusal of the FIR, it is observed that the accused is arrested in the said offence and there is allegation that he used the said mobile at the time of offence. It transpired from the record the IO sent the said mobile to FSL for analysis. The said mobile is not in the custody of the police. Hence, I proceed to pass the following order.

ORDER

Application is hereby rejected.

'Pronounced in open Court'

Date: 17/05/2024

(S.R. Patil)
Additional Sessions Judge
Beed

CERTIFICATE

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

Dictated on : 17/05/2024
Transcribed on : 17/05/2024
Checked and signed on : 17/05/2024

Sd/-
(G. N. Ghayal)
Stenographer Grade I