

MHBU010006782025.



Sessions Trial No. 37/2025.

State of Maharashtra.

V/s.

Sanjay Uttam Shivankar.

ORDER BELOW EXHIBIT 03.

(Passed on 01.08.2025)

01. This is the application moved, by the applicant i.e. informant - Rameshwar Achyutrao Andhale, for releasing his Motorcycle viz. a black coloured CB-Unicorn, Motorcycle of Honda Company, bearing registration No. MH-28-AY-1609, seized in this Crime. He contended that initially, he filed identical application before trial Court. However, later, this case was committed to this Court. During the investigation, his vehicle was seized from the spot of incident and no purpose would be served by continuing it in custody of the concerned police station. He is the registered owner of this vehicle and is also ready to abide by the conditions of its release. In support of this application, he filed copies of his Adhar Card, Registration Certificate, Particulars of the Vehicle and the FIR. In reply, APP submitted that on the day of incident, when the informant, along-with his staff, were trying to raid upon this accused, he intentionally gave dash to his vehicle and attempted to kill this informant. Consequently, he sustained grievous injuries whereas the other Police Constable -Bhagwat Ganesh Giri died on the spot. As such, he prayed for passing of suitable orders. Heard Ld. Adv. Shri. D. A. Salve for the informant and APP Shri. Bhatkar for the State.

02. Considering their submissions, at the outset, it is to be noted that in view of the prosecution case, the accused intentionally gave dash of the informant's vehicle and attempted to kill him. The investigation is, now, over and this charge-sheet is forwarded to this Court for trial, which would take its own course of time. In the circumstances, it can be safely arrived at that no purpose would be served by keeping this vehicle in idle

condition in custody of the concerned police. The record reveals drawing of detail seizure panchanama of this vehicle, which would meet the future contingencies. On this backdrop, I am of the view that by imposing some conditions, this seized vehicle may be released in favour of this informant. Hence the Order:

: O R D E R :

1. The application (Exhibit 3) is allowed.
2. Seized Motorcycle viz. Black Coloured CB-Unicorn Motorcycle of Honda Company, bearing registration No. MH-28-AY-1609, in Crime No. 87/2025, registered with Police Station, Andhera, be released in favour of the informant -Rameshwar Achyutrao Andhale on his executing Indemnity Bond of sum Rs. 1,00,000/- (One Lakh) subject to condition that;
 - (i). he shall not sell, pledge or create third party interest in respect of said vehicle,
 - (ii). he shall not change, alter or modify the said vehicle, till disposal of S.T. No. 37/2025, and
 - (iii). he shall produce the said vehicle whenever required.
 - (iv). Investigation Officer shall take photographs of the said vehicle before handing over its custody and shall forward them to be filed on this record. The expenses for securing the photographs shall be borne by the informant/applicant.
 - (v). The concerned Police Station be informed accordingly.
3. The application (Exhibit 3) is, accordingly, disposed of.

Buldhana.
Dated : 01.08.2025.

(A.G. Santani)
Additional Session Judge,
Buldhana.

Certificate

"I affirm that the contents of this P.D.F. file Order are same word for word as per original Order.

Name of the Steno	C. N. Mahale (Grade-I)
Name of the Court	Additional Sessions Judge, Court No.3 Buldana
Dictated on	01.08.2025.
Transcribe on	01.08.2025.
Checked on	01.08.2025.
Signed on	01.08.2025.
Uploaded on	02.08.2025.