

ORDER BELOW EXH. 19

(1) This is an application filed by the applicant Raja Uma Jadhav under section 451 for return of 13 buffaloes in S.T.C.No. 428/2016. He submitted that, Nardana Police Station seized said buffaloes in Crime No. 25/2016. He further submitted that he is the owner of said buffaloes. He also submitted that he is ready to abide all the conditions imposed on him. He further submitted that now the charge sheet is filed and there is no need to retain said buffaloes. Therefore, he filed this application.

(2) APP opposed this application and submitted that applicant has not filed any document for his ownership. Therefore APP prayed for its rejection.

(3) Heard both the learned advocates. Perused the application with filed documents.

(4) It appears that applicant filed purchase receipt of said buffaloes. It shows that applicant is the owner of said buffaloes. Further witness Amit Khan Shejad Khan is a concern clerk of Agriculture Produce Committee, Manavar, (M.P.). He produced verified copied of the purchase receipt which discloses that applicant purchased said buffaloes from Agriculture Produce Committee, Manavar, (M.P.). Proceeding no where discloses that applicant was transporting said buffaloes for slaughtering purpose. Further applicant is ready to abide all the conditions imposed on him and ready to produce said buffaloes if ordered. Obviously the final decision took much time and during this period, the buffaloes will become more and more sufferable. Hence, it is proper and just to return the said buffaloes to applicant with terms and conditions on

bond. Therefore, considering this situation, I pass the following order-

ORDER

- [1] Application is allowed on the following conditions.
- [2] Seized 13 buffaloes be released in favour of applicant after furnishing a supurtnama bond of Rs. 2,60,000/- (In words Rs. Two lack sixty thousand only) and he shall abide the following conditions :-
 - (i) He shall produce the said buffaloes as and when the Court directs ;
 - (ii) He shall not transfer the said buffaloes by any mode of transfer to third person ;
 - (iii) Applicant shall pay expenses incurred by Navkar Goshala Pinjarpole to maintain said buffaloes as per their rule.
 - (iv) Applicant shall provide the regular medical aid to the said buffaloes.
- [3] Investigation officer is directed to receive custody of said buffaloes from Navkar Goshala Pinjarpole and handover it's custody to applicant.
- [4] I.O. is directed to take the photograph of the said buffaloes and prepare its detail panchanama and produce it in the main case and compliance be reported.
- [5] This application will be kept with Crime No. 25/2016. (S.T.C.No.428/2016).

Dated : 11/01/2017

sd/-
(P.S.Bhandari)
Judicial Magistrate, First Class
Shindkheda.

Certificate

I certify that the contents of this PDF File are word to word as per Original Order.

Name of the Steno :- N.Y.Bhalerao

Name of the Court :- J.M.F.C. Court, Shindkheda
Tal. Shindkheda, Dist. Dhule.

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Sd/-xxx
Stenographer (L. G.)