



Spl. (Atro.) Case No. 1/2026
State X Prakash Barman & ors.
MHGA130000052026

APPLICATION EXH. 51
IN
SPECIAL (ATRO.) CASE NO.1/2026

ORDER
(Passed on 27.03.2026)

1. The accused has prayed for the interim custody of his Tractor bearing No.MH-33/F-4253, Trailer and I Phone 13 mobile IMIE No. 358318963206143 seized by Mulchera Police Station in Crime No.108/2025 registered under Sections 118(1), 115(2), 351(2)(3), 352 of BNS, Sections 3(1)(r)(s), 3(2)(va) of SC & SC Act and 4(1)/181 of M.V. Act. It is the case of the accused that he is the owner of mobile and he requires the mobile for his daily use. Hence, this application.
2. The I.O. and learned APP filed common say at Exh.62 and opposed the application.
3. Heard. The crime relates to voluntarily causing grievous hurt to informant and abusing him with reference to his caste. However, It is not the case of

prosecution that the abuses were uttered on mobile phone. It is also not the case that the alleged incident is video recorded on the mobile. Nothing incriminating material found in the said mobile. The investigation is completed and charge-sheet is filed. In the circumstances, there is no need to retain the mobile phone. The receipt shows that the applicant/accused is the owner of the mobile. Hence, the interim custody of seized mobile is liable to be given to the applicant/accused.

4. The tractor and trailer are vehicles. If they are kept lying at the Police Station, it will be junked. Registration certificate shows that the applicant is the owner of tractor. The tax invoice shows that the applicant is owner of trailer. Hence, the applicant is entitled for the interim custody of tractor and trailer. Hence, the order.
5. The application Exh.51 is allowed. Pending the trial, the seized Tractor bearing No.MH-33/F-4253, Trailer and I Phone 13 mobile IMIE No. 358318963206143 seized by Mulchera Police Station in Crime No.108/2025 registered under Sections 118(1), 115(2), 351(2)(3),

352 of BNS, Sections 3(1)(r)(s), 3(2)(va) of SC & SC Act and 4(1)/181 of M.V. Act be returned to the applicant/accused **Prakash Arun Barman**, on his furnishing indemnity bond of ₹10,00,000/- (In words Rupees Ten Lac Only) for tractor and trailer and indemnity bond of ₹50,000/- (In words Rupees Fifty Thousand Only) for mobile on the following conditions.

- a) The applicant shall not sell, mortgage or transfer said tractor, trailer and mobile without permission of the court during trial.
- b) The applicant shall produce said tractor, trailer and mobile before the Court or investigating officer as and when directed.
- c) Panchanama of the said tractor, trailer and mobile noting details thereof be prepared before returning it to the applicant/accused.

Aheri.
Date – 27.03.2026.

(D. M. Aher)
Judge, Special Court (SCST Act),
Aheri

- - - - -

Certificate

I affirm that the contents of this PDF file Judgment is same word to word as per the original Judgment.

- a) Name of the Stenographer :- Ramesh B. Chandekar
Stenographer - Grade 1.
- b) Court :- Judge, Special Court (SCST Act),
Aheri, District Gadchiroli.
- c) Order directly typed on dias PC. :- 27/03/2026
- d) Order signed & checked by P.O. :- 27/03/2026
- e) Order uploaded on : - 27/03/2026