

**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

**SESSIONS CASE NO. 04/2024.**

**(CNR NO.MHGO01000712024)**

**State, PSO, Rawanwadi -Vs- Omprakash & oths**

**ORDER BELOW EXH. 10.**

(Passed on this 22<sup>nd</sup> day of March, 2024)

This is an application filed by the applicant/accused No.7-Rohit Jiyalal Bhourgade for releasing the Motorcycle HF DeluxBS4 RBK coloured bearing registration No.MP-50/MT-2032 on suptrnama.

2] The applicant submits that his above said motorcycle bearing registration No.MP-50/MT-2032 was seized by Police Station, Rawanwadi in Crime No. 281/2023 for alleged offence punishable under Sec. 143, 144, 147, 148, 149, 302, 364, 386, 341, 323, 504, 506 of IPC. He further submits that he is the owner of said motorcycle. He is one of the accused in the present crime and he has falsely implicated. The investigation in regards to the motorcycle is completed. He is bonafide owner of the said motorcycle and wants the said motorcycle for his daily work. He is ready to abide by any condition. He has placed on record the documents along with list of document Exh.11 which are in respect of adhar card, registration certificate and insurance of motorcycle. It shows the name of applicant as the owner of the said motorcycle.

3] I.O. has filed reply at Exh.32 and has opposed the application on the ground that the offence is grievous. He may commit similar offence by using the said motorcycle, if released. He may tamper the evidence. He may change the color, appearance and sale the said motorcycle. He has prayed for rejection of application.

4] Learned DGP Shri Chandwani has filed say and opposed the application on the ground that the said motorcycle is a peace of evidence which may be required at the time of trial. If released, he may disposed of the motorcycle. He has prayed for rejection of application.

5] Perused the documents on record. The applicant is the owner of the said motorcycle as per the registration certificate filed along with list of documents Exh.11. The investigation is completed and charge-sheet is filed. The applicant/accused is released on bail. The motorcycle has now become necessity. No purpose will be served by keeping idle the said motorcycle. Appropriate conditions can be imposed to produce and preserve the said evidence. Hence, I pass following order.

### **ORDER**

1] Application (Exh.10) is allowed.

2] The Motorcycle HF DeluxBS4 RBK coloured bearing registration No.MP-50/MT-2032 be released on executing supratnama bond of Rs.40,000/- on the following conditions;

(i) The applicant shall not change the colour or appearance of the motorcycle.

(ii) The applicant shall not sell, alienate or transfer the said motorcycle without prior permission of the Court.

(iii) The applicant shall produce the said motorcycle as and when directed by the Court.

3] Application is disposed of accordingly.

Gondia.  
Dated: 22.03.2024.

Sd/-\*  
(Adil M. Khan)  
District Judge-1 & ASJ,  
**Gondia.**

**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

**SESSIONS CASE NO. 04/2024.**

(CNR NO.MHGO01000712024)

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**ORDER BELOW EXH. 25.**

(Passed on this 22<sup>nd</sup> day of March, 2024)

This is an application filed by the applicant/accused No.13- Maheshkumar Chandanlal Patle for releasing the Motorcycle Discover-110 Red-Black Colour bearing registration No.MP-50/MQ-7483 on suprtnama.

2] The applicant submits that his above said motorcycle bearing registration No.MP-50/MQ-7483 was seized by Police Station, Rawanwadi in Crime No. 281/2023 for alleged offence punishable under Sec. 143, 144, 147, 148, 149, 302, 364, 386, 341, 323, 504, 506 of IPC. He further submits that he is the owner of said motorcycle. He is one of the accused in the present crime and he has falsely implicated. The investigation in regards to the motorcycle is completed. He is bonafide owner of the said motorcycle and wants the said motorcycle for his daily work. He is ready to abide by any condition. He has placed on record the documents along with list of document Exh.26 which are in respect of adhar card and registration certificate of motorcycle. It shows the name of applicant as the owner of the said motorcycle.

3] I.O. has filed reply at Exh.36 and has opposed the application on the ground that the offence is grievous. He may commit similar offence by using the said motorcycle, if released. He may tamper the evidence. He may change the color, appearance and sale the said motorcycle. He has prayed for rejection of application.

4] Learned DGP Shri Chandwani has filed say and opposed the application on the ground that the said motorcycle is a peace of evidence which may be required at the time of trial. If released, he may disposed of the motorcycle. He has prayed for rejection of application.

5] Perused the documents on record. The applicant is the owner of the said motorcycle as per the registration certificate filed along with list of documents Exh.26. The investigation is completed and charge-sheet is filed. The applicant/accused is released on bail. The motorcycle has now become necessity. No purpose will be served by keeping idle the said motorcycle. Appropriate conditions can be imposed to produce and preserve the said evidence. Hence, I pass following order.

### **ORDER**

1] Application (Exh.25) is allowed.

2] The Motorcycle Discover-110 Red-Black Colour bearing registration No.MP-50/MQ-7483 be released on executing supratnama bond of Rs.40,000/- on the following conditions;

(i) The applicant shall not change the colour or appearance of the motorcycle.

(ii) The applicant shall not sell, alienate or transfer the said motorcycle without prior permission of the Court.

(iii) The applicant shall produce the said motorcycle as and when directed by the Court.

3] Application is disposed of accordingly.

Gondia.  
Dated: 22.03.2024.

Sd/-\*  
(Adil M. Khan)  
District Judge-1 & ASJ,  
**Gondia.**

**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

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**ORDER BELOW EXH. 39.**

**(Passed on this 22<sup>nd</sup> day of March, 2024)**

This is an application filed by the applicant/accused No.5-Alok Durgaprasad Bisen for releasing the Motorcycle Babaj Auto make, Black colour bearing registration No.MP-50/MU-6790 on suptrnama.

2] The applicant submits that his above said motorcycle bearing registration No.MP-50/MU-6790 was seized by Police Station, Rawanwadi in Crime No. 281/2023 for alleged offence punishable under Sec. 143, 144, 147, 148, 149, 302, 364, 386, 341, 323, 504, 506 of IPC. He further submits that he is the owner of said motorcycle. He is one of the accused in the present crime and he has falsely implicated. The investigation in regards to the motorcycle is completed. He is bonafide owner of the said motorcycle and wants the said motorcycle for his daily work. He is ready to abide by any condition. He has placed on record the documents along with list of document Exh.40 which are in respect of adhar card and registration certificate of motorcycle. It shows the name of applicant as the owner of the said motorcycle.

3] I.O. has filed reply at Exh.61 and has opposed the application on the ground that the offence is grievous. He may commit similar offence by using the said motorcycle, if released. He may tamper the evidence. He may change the color, appearance and sale the said motorcycle. He has prayed for rejection of application.

4] Learned APP Shri Agashe has filed say and opposed the application on the ground that the said motorcycle is a peace of evidence which may be required at the time of trial. If released, he may disposed of the motorcycle. He has prayed for rejection of application.

5] Perused the documents on record. The applicant is the owner of the said motorcycle as per the registration certificate filed along with list of documents Exh.40. The investigation is completed and charge-sheet is filed. The applicant/accused is released on bail. The motorcycle has now become necessity. No purpose will be served by keeping idle the said motorcycle. Appropriate conditions can be imposed to produce and preserve the said evidence. Hence, I pass following order.

### **ORDER**

1] Application (Exh.39) is allowed.

2] The Motorcycle Babaj Auto make, Black colour bearing registration No.MP-50/MU-6790 be released on executing supratnama bond of Rs.40,000/- on the following conditions;

(i) The applicant shall not change the colour or appearance of the motorcycle.

(ii) The applicant shall not sell, alienate or transfer the said motorcycle without prior permission of the Court.

(iii) The applicant shall produce the said motorcycle as and when directed by the Court.

3] Application is disposed of accordingly.

Gondia.  
Dated: 22.03.2024.

Sd/-\*  
(Adil M. Khan)  
District Judge-1 & ASJ,  
**Gondia.**