

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

SESSIONS TRIAL NO. 31/2023.

(CNR NO.MHGO01000418-2023)

State, PSO, Ramnagar -Vs- Manish Baghele+1

ORDER BELOW EXH. 02.

(Passed on this 27th day of April, 2023)

This is an application filed by the applicant/accused **Manish Mitaram Baghele** under Sec.457 of Cr.P.C. for releasing the Bolero SLX DI BSIII vehicle bearing registration No.MH-35/P-4098 on suptrnama.

2] The applicant/accused is the registered owner and possessor of Bolero SLX DI BSIII vehicle bearing registration No.MH-35/P-4098 which was seized by Police Station, Ramnagar in Crime No. 243/2022 for alleged offence punishable under Sec. 302 r/w Sec. 34. He is one of the accused in the said crime and enlarge on bail. He further submits that he has been falsely implicated in the said crime. Applicant submits that he is ready to abide by any conditions imposed by the court. He has prayed for releasing the said vehicle on suprutnama.

3] I.O. has filed reply at Exh.4 and has opposed the application on the ground that the vehicle is used in the commission of offence. He may change the colour or parts and

sale the said vehicle. He may used the said vehicle in another offence. He has prayed for rejection of application.

4] Learned DGP Shri Chandwani has opposed the application on the ground that the the vehicle is used in the commission of offence. He may disposed of the vehicle. He may used in commission of other offence. It is important piece of evidence. He has prayed for rejection of the application.

5] Perusal of the record shows that the applicant is one of the accused in the case and enlarged on bail. The documents filed on record by the applicant as per list Exh.3 i.e. certificate of registration shows that the applicant is registered owner of the Bolero SLX DI BSIII vehicle bearing registration No.MH-35/P-4098. No purpose would be served by keeping idle the said vehicle. Appropriate condition can be imposed to secure the presence of said vehicle at the time of evidence. Hence, I pass following order.

ORDER

- 1] Application (Exh.02) is allowed.
- 2] The Bolero SLX DI BSIII vehicle bearing registration No.MH-35/P-4098 be released to the applicant/accused **Manish Mitaram baghele** on executing supratnama bond of Rs. 5,00,000/- on the following conditions;

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

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

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

3] Application is disposed of accordingly.

Gondia.
Dated: 27.04.2023.

(Adil M. Khan)
District Judge-1 & ASJ,
Gondia.

