



IN THE COURT OF DISTRICT JUDGE-3 & ASJ, GONDIA.

Oth.Misc. Cri. Application No.11/2026.

(CNR NO.: MHGO010004752026)

Aman .Vs. State

ORDER BELOW EXH.1.

(Passed on this 16th day of March, 2026)

Perused the application and say of learned APP below it and say of police at Exh.5. Heard learned counsel for the applicant and learned APP. I have also gone through the case record.

2. The applicant contended that he is the registered owner of Activa motorcycle 125 DISK bearing registration No. MH-35/AT-4630, which is seized in Crime No.141/2026 registered with Police Station, Ramnagar in respect of offences punishable under Sections 78(2), 126(2) and 79 of BNS and under Sections 8 and 12 of the Protection of Children From Sexual Offences Act. The applicant contended that he required motorcycle for his day to day use. According to him,

motorcycle get damage if kept in police station. The applicant undertake to comply all the conditions imposed by the Court.

3. On the other hand, learned APP contended that applicant may destroy the motorcycle and failed to produce during trial. The police contended that the investigation is in progress, hence vehicle may not be released.

4. The documents filed on record particularly the document of registration clearly shows that the applicant is the registered owner of the aforesaid motorcycle. If said vehicle is kept in police station, it will become junk by passage of time due to lack of maintenance. So far as the apprehension of the learned APP and IO is concerned, it can be taken care of by imposing conditions. In fact, no purpose going to be served by withholding the motorcycle in police station. In such circumstances, the applicant is entitled for the custody of the same. I therefore, pass the following order:-

ORDER

1. The application is hereby allowed.
2. The vehicle i.e. Activa motorcycle 125 DISK bearing registration No. MH-35/AT-4630, which is seized in Crime No.141/2026 registered with Police Station, Ramnagar is hereby released on supratnama in favour of the applicant

Aman s/o Kailash Jaiswal on executing indemnity bond of Rs.1,50,000/- subject to following conditions.

- (i) He shall produced the motorcycle in the court as and when required.
- (ii) He shall maintain the motorcycle in the same condition as it stands today.
- (iii) He shall not transfer or dispose of the motorcycle in any manner till the decision of sessions case.
- (iv) The Investigating Officer of the Police Station, Ramnagar in Crime No.141/2026 is directed to take photographs of the motorcycle from different angles and submit the same with detail panchnama about it in court before releasing the motorcycle on supratnama.

Dated : 16.03.2026

(K. N. Gautam),
Addl.Sessions Judge, Gondia.