

MHLA010000972025



S.C. No.12/2025

State V/s. Balaji

CNR No. MHLA010000972025

ORDER BELOW EXH.12.

This an application moved by Amir Mustafa Pathan for return of his vehicle Royal Enfield Bike-350 bearing registration No. MH-24/BV-4067.

2. It is contention of the applicant that he is owner of this vehicle. This vehicle was seized from the accused in Crime No. 209/2024, under section 306 of the Indian Penal Code. Thereafter, charge-sheet came to be filed against the accused and case is committed to this court. It is contention of the applicant that the vehicle is lying in the police station and it will cause damage to the vehicle being kept in unused condition. So, he has prayed for interim custody of this vehicle.

3. Police Inspector, Police Station, Ausa has filed his say at Exh.15. It is stated in the say that applicant is owner of the vehicle and the vehicle was forcefully take by the accused from the brother of the applicant by name Gaus Mustafa Pathan.

4. The charge-sheet has been filed against the accused alleging that he abated the suicide of deceased Akash and the accused was doing money lending business. The vehicle Royal Enfield Bike-

350 bearing registration No. MH-24/BV-4067 was also forcefully taken by the accused from one Gaus Pathan who is the brother of present applicant Amir Pathan. The statement of Gaus has also been filed alongwith charge-sheet. The copy of registration certificate is filed on record. The applicant Amir Pathan appears to be the owner of the vehicle. If the vehicle is kept in custody in unused condition, it would cause damage to the vehicle. Disposal of this case would take time and till then the vehicle can not be kept in police station. So, I think that the applicant is entitled for interim custody of vehicle. Accordingly, I pass following order.

Order

1. The application (Exh. 12) is allowed.
2. Interim custody of the seized Royal Enfield Bike-350 bearing registration No. MH-24/BV-4067 seized in crime No. 209/2024 by AUSA Police Station, District Latur be given to the applicant Amir s/o Mustafa Pathan on executing his supurtnama bond of Rs.50,000/-.
3. The Police Inspector shall draw panchnama while delivering the vehicle to the applicant mentioning the situation of the vehicle. After preparation of such panchnama, it shall be filed in this case.
4. The applicant shall not sell, alter, modify or damage the seized bike-350 till the trial is over.

Date : 01/11/2025
Place : Latur

(Vidyadhar S. More)
Additional Session Judge Latur