

Order below Exh.86

- 1) The present applicant is filed by accused praying thereby to release/return the motorcycle owned by him and seized by IO in connection with crime No.579/2020, U/Sec. 363, 364-A, 120-B r/w Sec.34 of the Indian Penal Code.
- 2) It is submitted that applicant is registered owner and in dire need of the vehicle. The vehicle is lying in the premises of police station. There is no parking facility and thus if the vehicle remained parked at one place, it will certainly be damaged. He thus prayed to return the vehicle showing his readiness to abide by the conditions.
- 3) In support of his application he filed on record the verified copy of RC Book and Insurance Policy. It seems therefrom that applicant is the registered owner of motorcycle bearing registration No.MH-24/AM-4970 of which custody is sought.
- 4) The learned APP objected the application and filed reply Exh.90. It is alleged that if the vehicle is released, accused may commit like offence by using the said vehicle and thus prayed to reject the application.
- 5) Heard both the sides.

6) Admittedly applicant is registered owner of the motorcycle in question. The investigation is obviously completed as charge-sheet is filed. Considering the nature of allegations against the accused, the further detention of motorcycle seems to be unnecessary and if the vehicle is not released certainly it will be damaged. Thus, on usual conditions the vehicle deserves to be returned and hence, the order.

O R D E R

- 1) The application is hereby allowed.
- 2) The motorcycle in question bearing registration No. No.MH-24/AM-4970 be returned to applicant on condition that he shall not transfer the vehicle till conclusion of trial and shall produce it whenever required and on execution of IB for Rs.1,00,000/-.
- 3) Application is disposed-off accordingly.

Date :- 16/06/2022.

(K. S. Totla)
Additional Sessions Judge-2,
Latur.

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