



-: Order below Exhibit No. 6 :-

- 1) This is the application under Section 457 of the Code of Criminal Procedure.

- 2) By this application Applicant claiming REDMI Y2 Mobile having Bill No.1105. It is the contention of the Applicant that, same is seized in the Istagasa No.01/2021 for the offence punishable under Section 124 Bombay Police Act. Applicant contended that, REDMI Y2 Mobile having Bill No. 1105 seized from the possession of the Applicant. Applicant contended that, REDMI Y2 Mobile having Bill No. 1105 seized is his property. He having concerned with the alleged crime. But he can produced the same whenever required by the police and by the court. He further contended that, if by imposing conditions said property be given to him, it will not caused any hardship to the prosecution.

- 3) The learned APP for state filed his say and contended that, it is likely possibility of changing nature of seized property, mobile and it is part of prosecution evidence. The Police Station Officer also filed say at Exh.09 and contended that, necessary order pass. I also perused the say of Accused Sukhdeo Laxman Dhurve and Accused Nishad Arjun Thakre as per Exh.07 and 09. They also submitted that, they did not any

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objection to deliver the property. Thus, it can be said that, Applicant is the lawful possessor and owner of the property. Thus having considered their submissions, it seems that, applicant appears to be owner of REDMI Y2 Mobile having Bill No.1105. It is the contention of the Applicant that, same is seized in the Istagasa No.01/2021 of Police Station, Saoner. Nobody, except him, claimed any right thereon. Admittedly, it is lying in the said police station and therefore, the possibility of it's being deteriorated can't be denied. Lastly, no fruitful purpose would be served by keeping it in such custody and it may also be preserved for trial, if released conditionally in favour of this Applicant. Hence, the order :-

-: O R D E R :-

- 1) Police Station Officer, Police Station, Saoner, is directed to release said REDMI Y2 Mobile having Bill No.1105 same is seized in the Istagasa No.01/2021 of Police Station, Saoner on executing a Supratnama bond in the sum of Rs.8,500/- only.
- 2) P.S.O. concerned is also directed to prepare detailed panchnama of the said property and may take it's photographs before releasing the same in favour of the applicant.
- 3) Investigation Officer is hereby directed to send the above said Supratnama or Indemnity bond executed by the Applicant and above mentioned panchanama alongwith charge-sheet. If the Charge-sheet is already filed then send all these documents to the court for placing it with charge-sheet.

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4) The application, accordingly, stands disposed off.

Saoner.

Date : 13.01.2022

(J. S. Kokate)

Judicial Magistrate First Class, Saoner.

District Nagpur.

C E R T I F I C A T E

“I affirm that the contents of this P. D. F. File of order is word to word as per original order.”

Name of Stenographer : N. B. Payade

E N D O R S E M E N T

Case argued on	:	13.01.2022
Order dictated on	:	13.01.2022
Transcription ready on	:	13.01.2022
Order Checked and signed on	:	13.01.2022