

CNR:MHSN04000120-2026
Special Case NO.8/2026.

State of Maharashtra
V/s.
Anantraj Jaykar Shinde

ORDER BELOW EXH. 16

1] This is an application under Section 503 of B.N.S.S. by accused Anantraj Jaykar Shinde for custody of seized two wheeler Hero Honda Splendor Motorcycle MH10/EF/6675 having Chasis No. MBLHAW234R5A04954 and Engine No. HA11E8R5A59829 and mobile phone Vivo V40 seized in C.R.No.479/2025 registered by Ishwarpur Police Station for the offences punishable under Section 64, 64(2)(m), 351(2) of B.N.S. and Section 4 and 6 of POCSO Act.

2] Perused the application and say given by prosecution at Exh.20. Heard Advocate Shri. Nawale for applicant and Special P.P. Shri. R. S. Patil for state.

3] The seized property is two wheeler motorcycle admittedly seized from the custody of the accused. The application is supported by affidavit of the applicant and document of ownership such as certificate of registration and tax invoice. Today the applicant produced on record copy of the insurance of the vehicle suggesting the vehicle is insured with Go-digit company and the insurance is for period 08/04/2026 to 07/04/2027. Though the application is opposed by the prosecution, considering the nature of the property I find no fruitful purpose would be served by keeping it idle without being used. It's non-use would

further damage the seized vehicle. So far as the apprehension expressed about use of vehicle for repeating crime, a suitable condition can be imposed. Considering the document on record, I find applicant a fit person to receive the custody of the seized motorcycle pending inquiry and trial in present case.

4] So far as the prayer for custody of seized mobile phone Vivo V40, as per the say given by prosecution, the mobile is sent to the scientific laboratory for further analysis and it is not yet received from the laboratory. Considering the overall allegations against the applicant about the alleged use of mobile phone for commission of the crime, I find at this stage, it would not be in the interest of justice to hand over said mobile phone to the applicant. To that extent the application deserves to be rejected.

In view of the above made discussion, I pass following order.

ORDER

1. The application is partly allowed.
2. The prayer for custody of the mobile phone Vivo V40 is rejected.
3. Pending inquiry and trial in Special Case No. 8/2026 arising out of Ishwarpur Police Station C.R.No.479/2025, the custody of seized muddemal property Hero Honda Splendor Motorcycle having No. MH10/EF/6675 having Chasis No. MBLHAW234R5A04954 and Engine No. HA11E8R5A59829 be given to the applicant Anantraj Jaykar Shinde on executing his personal bond of Rs. 50,000/- (Fifty Thousand Only) with surety of like amount on condition -

- i] He shall not change the nature of the property and shall not create any third party interest over it.
- ii] He shall not use the property for commission of any crime.
- iii] He shall produce the property before this Court as and when directed during trial.

4. The concern police station is directed to cause photographs of the vehicle shall be taken from all four directions with such care that the registration number shall be seen in the photograph so that the property can be identified with the help of photograph.

5. Inform the concern police station accordingly.

Date: 07.04.2026.

(Aniruddha Y. Thatte.)
Additional Sessions Judge
Islampur.