

Order below Exh.15 in S.C.No. 11/2021

This is an application for return of motorcycle bearing No. MH/11/CL-5259 seized by Wai Police Station in connection with C.R.No.84/2020 for the offence punishable under Section 307 of I.P.C. etc. The applicant has claimed custody of the vehicle on the ground that he is registered owner.

02] The Ld.A.P.P for the State has filed say at Exh.20. It is stated that if this Court thinks fit to return the motorcycle, then condition may be imposed that the applicant shall not alienate motorcycle till decision of the case or he shall not make any change in its part and shall produce the same as and when required by this Court.

03] Thus the application is not seriously resisted by the prosecution. The copy of R.C. Book of motorcycle bearing No.MH/11/CL-5259 is filed on record. As per the said copy the applicant Somnath @ Sonya Bandu Shinde is the registered owner. Thus, there is no hurdle to give interim custody of the seized motorcycle to the applicant / accused. Hence I pass the following order.

ORDER

01] The muddemal property i.e. motorcycle bearing No. MH/11/CL-5259 be returned to the applicant Somnath @ Sonya Bandu Shinde on his executing indemnity bond of Rs.1,00,000/-.

- 02] The applicant shall give undertaking that he shall not dispose off, alienate , create third party interest or change the nature of property till final disposal of the case.
- 03] The applicant shall produce the said muddemal in the Court as and when required.
- 04] The Officer in charge of police station is directed to carry out detail panchanama and take photographs of the motorcycle before handing over its possession to the applicant.
- 05] Intimate the concerned police station accordingly.

Satara.
Date: 23/10/2021

(S.R.Pawar)
Additional Sessions Judge,
Satara.