

SC 60-2021
(R No.60/2021) (GR No.61/2021)

Order No. 09
dt.04.12.2023

Out of 4 accused persons on cb, 3 accused are present before this Court and accused Babu Sharma @ Madan is absent by petition.

This day is fixed for framing of charge.

Ld. Lawyers for both sides are present.

Issue WA against accused Babu Sharma @ Madan through OC, Kalchini PS at once.

Fix **17/02/2024** for ER of WA.

Petitioner Shipra Sharma is present before Court and files a petition for return of seized vehicle No. WB 59C 3453. She also files the legal heir certificate issued by the Pradhan Lahutara II Grampanchayet, Uttar Dinajpur, Tax receipt issued from the Transport Department, Govt. of West Bengal in respect of the aforesaid vehicle, copy of registration certificate of the vehicle in the name of Bapi Sharma, authorization certificate as well as the voter card of petitioner Shipra Sharma.

Perused the documents.

Heard the submission of the Ld. Lawyer for the petitioner.

Considered.

It appears from the document that the seized vehicle No. WB 59C 3453 was in the name of Bapi Sharma, who is no more alive (copy of death certificate is filed). It further appears from the legal heir certificate issued by the Pradhan Gram Panchayet that Shipra Sharma is the wife of Late Bapi Sharma and Bappa Sharma is their son. The documents produced before this Court in respect of the seized vehicle shows that Bapi Sharma was the registered owner of the vehicle No. WB 59C 3453 (while color canter truck). It appears from the seizure list dtd.19/01/2021 that the vehicle has been seized by the IO SI Dhananjay Majumder, Kalchini PS.

Considering the above, the prayer of the petitioner Shipra Sharma is allowed.

Hence, it is

ORDERED

that the seized vehicle bearing No. **WB 59C 3453** along with all documents be returned to the petitioner **Shipra Sharma** on executing a bond of Rs.5,00,000/- subject to the conditions that she shall not change the nature, colour, character, ownership and possession of the vehicle, sell and or dispose of the said vehicle during the pendency of this case and produce the same before this Court as and when called for by this Court at her own costs.

Inform I.O. accordingly.

*Dictated & corrected
by me ;*

Sd/-

*Addl. District Judge,
FTC-II, Alipurduar.*

Sd/-

*Addl. District Judge.
FTC-II, Alipurduar.
[WB00942]*

