

**Spl. Elec.case no.415 of 2024**  
**CNR No.WBUD01-004146-2024**  
**JO CODE No.WB01460**

**Order No.10**

**11.07.2025**

Case record is put up today on the prayer of put up petition filed on behalf of the owner namely, Md. Osikul Islam.

One petition is filed on his behalf of the driver with a prayer for return of the seized vehicle bearing No.WB59D/0957 annexing therewith original certificate of bank guarantee vide reference No 0575025IFG000055 dated 11.07.2025. Copy served.

Ld. Counsels of both sides are present.

Copy supplied.

Heard both sides.

Perused the case record and the petition together with the original copy of Bank Guarantee as mentioned above.

After hearing both sides and on perusal of the case record it appears that on receiving a report regarding return of the seized vehicle bearing No. WB59D/0957 from the I.O, on 21.12.2024 this Court was inclined to allow the prayer of the petitioner/owner of the said vehicle regarding return of the said seized vehicle to its registered owner being the accused herein conditionally as interim custody on his furnishing Bank guarantee on some conditions. On minutely perusal of the order dated 21.12.2024 it appears that the the accused qua registered owner of the seized vehicle bearing No. WB59D/0957 was directed to furnish a Bank guarantee of Rs.5,00,000/- of any Nationalized bank on some conditions as stipulated in the order regarding return thereof fixing 04.01.2025 for appearance on condition that he shall produce the same before this court as and when he be so directed during pending of this case at his own cost and on condition not to alienate, sell, mortgage, or not to change the nature, character and colour of the vehicle during pendency of the instant case without further order in this regard.

It is on record that during investigation I.O seized the vehicle bearing No. WB59D/0957 on 21.11.2024 along with all relevant papers of the said vehicle. It is in his report that said vehicle damaging one electric pole near Bhulki Petrol Pump under Karandighi PS while from the case record it appears that vide Order dated 29.11.2024 the accused Rafikul Islam has been released on bail for considering said payment of damages made by the accused to WBSEDCL. Report also reveals that in investigation the IO gathered the information that registered owner namely Md. Osikul Islam, S/o-Badrul Haque of House Nagar, P.O-Tinpukhria, PS-pSamserganj of District- Murshidabad of the said vehicle while the accused in the case has already been released on bail.

In view of the aforesaid facts and circumstances, Bank Guarantee vide reference No. 0575025IFG000055 dated 11.07.2025 is submitted today on behalf of the owner with a prayer for return of the seized vehicle in his favour. On minutely perusal of the Bank Guarantee submitted today, it appears that Bank Guarantee No. 0575025IFG000055 dated 11.07.2025 to the tune of Rs. 5,00,000/- has been furnished with original copy thereof of Indian Bank bearing signature of Senior Manager, Indian Bank Raiganj, Mohanbati Branch, Uttar Dinajpur with validity till 11.07.2028.

Accordingly, let the seized vehicle bearing registration no. WB59D/0957 together with its connected papers be returned at the earliest to it's registered owner qua the present petitioner on aforesaid furnished Bank guarantee of Rs.5,00,000/- of Indian Bank Raiganj, Mohanbati Branch, Uttar Dinajpur on condition that he shall produce the same before this court as and when he be so directed during pending of this case at his own cost and on condition not to alienate, sell, mortgage, or not to change the nature, character and colour of the vehicle during pending of the instant case without further order in this regard.

In the circumstances, I.O. is directed to submit report by the date fixed positively regarding return of the vehicle to its registered owner on duly verifying the original documents regarding ownership of the said vehicle and identity of the owner thereof.

Accordingly, owner is also directed to submit a compliance petition on receiving the said seized vehicle in compliance of the order by the date fixed positively.

Let a copy of this order be sent to I.O.

To date (**19.11.2025**) for appearance, compliance and further order.

D/C by me

Special Judge(E),  
Uttar Dinajpur

Special Judge(E)  
Uttar Dinajpur