

Order below Exh.01 in Cri. M.A. No.01 of 2018.

1/- This application is made by Pavan Kailas Patil for taking possession of Ape auto bearing no. MH 19/BJ 2924, which is seized in C.R. No.3814 of 2017 by R.P.F. Amalner (hereinafter referred as muddemal property).

2/- Read say of I.O. below Exh.05, Ld. P.P. and Ld. advocate for accused. They have given no objection to hand over auto to applicant.

3/- Seized auto is in the name of applicant and copy of R.C.Book is filed on record below Exh.3/1. It is submitted that auto is required for daily use and earning food of the applicant. Case is registered under Section 160 of the Railway Act. Thus, no need to keep the auto in possession of R.P.F. Hence, I pass the following order -

ORDER

1/- Application is allowed.

2/- Seized muddemal property i.e. Ape auto bearing no. MH 19/BJ 2924 be returned to the applicant Pavan Kailas Patil on executing supurtnama of Rs.2,00,000/- (Rs. Two Lakhs only) till conclusion of trial on temporary basis on following conditions -

(a) applicant shall not sale, alter the nature of seized property and shall not hand over possession of seized property to anyone.

(b) applicant shall produce seized property before the I.O. or Court whenever it is required.

3/- I.O. is hereby directed to make detail panchanama of seized property while handing over to the applicant and take photographs of property which is to be counter singed by I.O. and

applicant.

4/- Said detail panchanama and photographs of property shall be sent to this court in C.R. No.3814/2017.

5/- Communicate this order to I.O. accordingly.

Date : - 04th January, 2018
Bhusawal.

(R. R. Thorat)
Judicial Magistrate F.C. (Rly.)
Bhusawal.