

GAHC010162622024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./309/2024

INDRA KATAKI
S/O LT. DHANASING KATAKI
VILL PANBARI
P.S. NARAYANPUR
DIST.LAKHIMPUR,
DIST. LAKHIMPUR, ASSAM
PIN-7864164

VERSUS

THE STATE OF ASSAM
REPRESENTED BY THE PP, ASSAM

Advocate for the Petitioner : MR G KAKOTI, MR. K BORUAH,S MEDHI,MR. P THAKURIA

Advocate for the Respondent : PP, ASSAM,

**BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

19.09.2024

Heard Mr. G Kakoti, learned counsel for the petitioner as well as Mr. D Das, learned Additional Public Prosecutor, Assam.

This is an application filed under Sections 438/442 of the BNSS, 2023 praying for custody of a vehicle bearing Registration No. AS-07K-7267, which was seized in connection with Mazbar P.S. Case No. 13/2024.

One ambulance was carrying ganja and the vehicle aforesaid was following that ambulance.

Record reveals that ganja was actually recovered in an abandoned condition.

The learned trial court refused the prayer of the petitioner only on the ground that the Investigating Officer had reported that the vehicle will be required for further investigation in this case.

I have considered the submission made by the learned counsel of both sides. Without expressing anything about the merit of the case, this Court hereby directs the Officer-in-charge, Mazbat Police Station to handover the custody of the Mahindra Bollero vehicle bearing Registration No. AS-07K-7267 to its registered owner after proper identification.

The criminal revision petition is disposed of.

JUDGE

Comparing Assistant