

GAHC010258552024



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

Case No. : Crl.Pet./1476/2024

BINOD CHANDRA BHAGAWATI
S/O BIPIN BHAGAWATI,
RESIDENT OF BARBHAGJARI, PS BAKUAJARI, PS TIHU, DIST NALBARI,
ASSAM

VERSUS

THE STATE OF ASSAM
REPRESENTED BY PP ASSAM

Advocate for the Petitioner : MR S BORTHAKUR, MR. D GOGOI

Advocate for the Respondent : PP, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

11.12.2024

Heard Mr. S. Borthakur, learned counsel appearing for the petitioner. Also heard Mr. R.R. Kaushik, learned Addl. Public Prosecutor for the State of Assam.

2. This is an application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 whereby the petitioner prayed for custody of the vehicle bearing

Registration No. AS 01 ET 1001.

- 3.** The petitioner filed an application before the Chief Judicial Magistrate, Kamrup (M), Guwahati praying for custody of the said vehicle.
- 4.** The Court below called for a Report.
- 5.** Police Reported suggests that nobody could produce any documents to take custody of the vehicle and therefore, the Investigating Officer could not ascertain the actual owner of the vehicle.
- 6.** The present petitioner submits that he has all the necessary documents to prove his ownership over the said vehicle.
- 7.** I have considered the submissions made by the learned counsel for both sides.
- 8.** The vehicle bearing Registration No. AS-01 ET 1001 which was seized in connection with Crime Branch Police Station Case No. 13/2024, shall be given to the custody of its registered owner on taking a bond of ₹20,000/-.

With the aforesaid direction, the criminal petition stands disposed of.

JUDGE

Comparing Assistant