

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1360 of 2019

Manoj Kumar Sahu S/o Firat Ram Sahu Aged About 35 Years R/o Navgawan, Police Station- Balouda, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station- Kotwali, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

07.06.2019	Mr. Yogeshwar Sharma, counsel for the petitioner. Mr. K. K. Singh, GA for the State. This petition is preferred against the order dated 14.03.2019 passed by Special Judge, (NDPS), Korba in case No. 01/2019, wherein the said Court rejected the application filed under Section 451 of Cr.PC for releasing the vehicle seized for crime in question. Learned counsel for the petitioner submits that vehicle is seized in crime No. 945/2018 registered in Police Station Kotwali, Korba. The petitioner is registered owner of the vehicle and if it is kept in custodia legis for a long period, the condition of the vehicle will be deteriorated and will not be useful. The petitioner is ready to furnish adequate security, therefore, custody of the vehicle should be handed over to him. State counsel opposes the petition. Looking to the fact that conclusion of the trial will take sufficient time
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and proceeding under Section 60 of the NDPS Act can be initiated against the petitioner only after result of trial if it is a case of conviction.

Accordingly, the petition is allowed. Custody of the seized vehicle shall be given to the petitioner on his furnishing a personal bond of Rs. 30,000/- with surety of like amount till disposal of the case on following condition :-

(I) He will not change the identity of the vehicle and will not alienate same till disposal of the case.

Sd/-

(Ram Prasanna Sharma)
Vacation Judge

Rohit