

**CRR 1226 of 2021  
(Through Video Conference)**

In Re: - An application under Section 482 read with Section 402 of  
the Code of Criminal Procedure, 1973  
And

In the matter of: Hasibulla Pathan

.... Petitioner

Mr. Samiran Mandal,  
Mr. Abhinaba Dan

...For the Petitioner

Mr. Prasun Kr. Dutta,  
Ms. Sukanya Bhattacharyya,  
Mr. Mirza Firoj Ahmed Begg.

...For the State.

The petitioner in this revisional application has prayed for release of a vehicle being Registration No. WB-33D-7085 which has been seized in connection with the proceeding being G.R. Case No. 308 of 2020 pending before the Additional Chief Judicial Magistrate, Bishnupur, Bankura.

The learned Magistrate in the Court below by an order dated August 26, 2020 rejected the prayer of the petitioner for releasing the vehicle in view of the objection given by the investigating officer.

This matter was taken up for hearing on July 16, 2021 when a report was called for by the investigating officer. The report has been filed today on behalf of the State. The report says as follow:-

***“With due respect and humble submission I beg to report that on 18.06.2020 a specific case was started at Kotulpur P.S. Case no. 42/2020, Dt-18.06.2020, U/s- 379/411/406/407/201/34 IPC, Sec 7 (1) (a) (ii) of Essential Commodities Act 1955, Sec 4 of***

***W.B. Anti Profitering Act 1958 and sec 53 of Disaster Management Act-2005. During investigation I.O. S.I. Md. Hamidul Islam seized the vehicle bearing NO. WBEEEd/7085 (pick up van) for the interest of investigation. During investigation it is revealed that the actual owner of the said vehicle is Hasibulla Pathan. The Actual Owner did not appeared before I.O. to produce all connected papers for the interest of investigation.***

***I would like to note here that this case was ended in C/S vide Kotulpur P.S. Charge sheet no.91/21 dt. 30.04.2021 U/S 379/411/201/34 IPC.***

***Under the above fact and circumstance as the case is ended in Charge sheet. So, therefore the said vehicle is not required in this case it may be kindly released as the Ld Court deem fit and obliged.”***

Since, there is no objection by the State with regard to release of the said vehicle, this revisional application being **CRR 1226 of 2021** is allowed. The vehicle in question shall be released in favour of the petitioner within a period of four weeks from date, subject to furnishing a bond of Rs. 5 lakh before the learned Additional Chief Judicial Magistrate with a further condition that the petitioner shall produce the vehicle as and when required by the learned Magistrate. The petitioner shall not change the colour of the vehicle without the permission of the learned Magistrate.

Accordingly, the revisional application being **CRR 1226 of 2021** is disposed of.

**(Kausik Chanda, J.)**