



**IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT
BILASPUR**

Single Bench

Cr.M.P .NO. 497 OF 2013

PETITIONER
Applicant

: Sayed Safdar Ali S/o Shri Sayed
Rajak Ali, aged about 48 years, R/o
Gandhi Nagar, Tikarapara, Durg,
P.S., Tahsil & Distt. Durg, Civil and
Revenue Distt. Durg (C.G.)

RNo. 497/13
Presented by Shri. Mok. Singh
Dated. 08/05/13

Vs

RESPONDENT

: State of Chhattisgarh through
District Magistrate, Raigarh, Distt.
Raigarh (C.G.)

**PETITION UNDER SECTION 482 OF THE CODE OF
CRIMINAL PROCEDURE**



23/5/13

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक

CR MP 497/2013

सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	<p><u>SB : Hon'ble Shri Manindra Mohan Shrivastava, J.</u> <u>22.5.2013</u></p> <p>Shri MK Sinha, counsel for the petitioner. Shri Sushil Dubey, GA for the State. Heard.</p> <p>This petition has been filed by the petitioner aggrieved by the order by which application for interim custody of the vehicle in question alleged to be used in the commission of offenses under Sections 379 of the IPC and 21(1)(4) of Mining Act has been rejected.</p> <p>Learned counsel for the petitioner submits that the petitioner is the registered owner of the vehicle and no useful purpose will be served in keeping the vehicle in custody by the police officials. He further submits that the petitioner is prepared to submit solvent security for production and safe custody of the vehicle during the pendency of the trial, as per the order of the learned Magistrate.</p> <p>On the other hand, learned State counsel opposes the prayer and submits that the vehicle may be required in confiscation proceedings before the confiscating authority under the aforesaid Act.</p> <p>Taking into consideration that the petitioner is not involved in the commission of offense and the petitioner is the registered owner of the vehicle and further that no useful purpose will be served in keeping the vehicle in custody, it would be appropriate to allow the interim custody in favour of the petitioner on such terms and conditions as may be imposed by the learned Magistrate. In addition, it shall also be one of the condition that the petitioner would be liable to produce the vehicle before the Court or before the confiscating authority as and when directed.</p> <p>With the above order the petition is disposed off.</p>	

Sd/-
Vacation Judge

Bdme