

Tezpur PS Case No-1049 of 2021
GR Case No-1723 of 2021
U/S-457/342/392 of IPC

ORDER

05.01.2022

Ld. Advocate of the petitioner filed hazira.

Report as called earlier vide Order dated-27.12.2021 in respect of seized motor cycle bearing Regd. No-AS-12/M-0632 received today from the I/O concerned.

Heard both sides and perused the report carefully.

On perusal of the report submitted today by the I/O SI Amrit Gogoi of Tezpur PS, it disclosed that one Pulsar motor cycle bearing Regd. No-AS-12/M-0632 was seized in connection with this case. It also disclosed from the report of I/O that as per registration certificate of the motor cycle, it has come to the said motor cycle bearing Regd. No-AS-12/M-0632 is in the name of Md. Akib Javed, son of Md. Kafuruddin Ahmed of Kabarkhana Road under Tezpur PS but the said motor cycle was purchased by the petitioner named Md. Saddam Hussain, son of Akbar Ali under Rangapara PS as per form No-29 (Notice Of Transfer Of Ownership Of A Motor Vehicle). It is further disclosed that the petitioner being the purchaser of the said motor cycle has submitted application to the D.T.O. Tezpur for transfer to his name but till date the same was not transferred in his name and the said motor cycle is in the possession of the petitioner Md. Saddam Hussain and further as per document, the present owner of the motor cycle bearing Regd. No-AS-12/M-0632 is Md. Saddam Hussain. It also disclosed from the report submitted by the I/O that the motor cycle bearing Regd. No-AS-12/M-0632 is not required for the further investigation of this case. Photocopies of Form No-29 & Form No-30 found enclosed with report submitted by the I/O.

Therefore, considering the report of the Investigating Officer, this Court not finds anything upon which the prayer of the

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petitioner may be rejected. Accordingly, the prayer of zimma of motor cycle bearing Regd. No-AS-12/M-0632 filed by the petitioner named **Md. Saddam Hussain** is allowed and the I/O sets at liberty to hand over the seized motor cycle bearing Regd. No-AS-12/M-0632 in favour of the petitioner **Md. Saddam Hussain** after proper verification of his identity and also after proper verification of the valid documents of the same.

The I/O shall obtain a bond of Rs.1,00,000/- (Rupees One Lakh) only from the petitioner named **Md. Saddam Hussain** on condition that:-

- (i) The petitioner shall produce the aforesaid motor cycle bearing Regd. No-AS-12/M-0632 before the I/O or Court as and when directed;
- (ii) No unlawful use of the same in question shall be made and no alteration in the same shall be made except making necessary repair.

The petitioner shall further co-operate with the I/O till the I/O concludes the investigation of this case and also the petitioner shall not sale the same until disposal of the case.

Accordingly, the interim zimma prayer filed by the petitioner named, **Md. Saddam Hussain** stands disposed of.

Sri N. J. Haque
Chief Judicial Magistrate
Sonitpur, Tezpur