

SUPREME COURT OF INDIA

Rajendra Prasad

Vs.

State of Bihar

(K.T. Thomas and D.P. Mohapatra JJ.)

10.02.2000

ORDER

1. Leave granted.

2. We are not deciding the question as to the title of the vehicle in dispute nor the correctness of the rival versions regarding the transactions relating to the vehicle. We do not want the vehicle to remain in the compound of the Police Station exposed to heat and cold because the automobile is likely to be lost to all in such situation. To avert this situation, we are inclined to entrust it temporarily to the appellant who is the ostensible name-holder in the registration certificate. The custody of the vehicle with the appellant will be on behalf of the Court and this arrangement is only till the stage when the Court passes the order regarding disposal of the property on conclusion of the trial. We direct the trial court to release the vehicle to the appellant on the following conditions:

(a) The appellant will produce the original registration certificate (as issued by the Transport Office. If it is a "duplicate" he must obtain a certificate from the R.T.O. that duplicate was issued from the office).

(b) The appellant shall execute a bond in a sum of Rs. 2 lakhs with two solvent sureties that he will produce the vehicle back in Court whenever required by the Court.

3. The appeal stands disposed of accordingly.