

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51590 of 2015

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1. Ganesh Kumar Rout @ Ganesh Rout Son of Basant Rout
2. Basant Rout son of Late Ram Khelawan Rout Both residents of Village -
Chhoti Bazar, Bahera, P.S. - Bahera, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Surendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 14-12-2015

Heard the learned counsel for the petitioners and the
State.

The two petitioners herein are cited accuseds in the
FIR and they seek bail in Bahera P.S. case no. 466 of 2015,
registered under Sections 418,420,468,475 and 120B of the IPC
and Sections 103 and 104 of the Indian Trademark Act.

According to the informant, although the petitioners
were owning a shop of light and sound but certain articles of
Dabur company which were fake was being sold. Forged labels
were found stuck on the bottles. The same was seized in presence
of witnesses.

Contention of the petitioners is that there is no
criminal antecedent. They are languishing in jail since 20.09.2015.

The learned Sessions Judge misconstruing the application as an application for anticipatory bail rejected the same.

Considering the facts and circumstances of the case, this Court is inclined to extend the privilege of bail to the petitioners. Let the petitioners, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Dist. Darbhanga, in connection with Bahera P.S. case no. 466 of 2015, corresponding to G.R. No. 464 of 2014, with following conditions:-

(i) One of the bailors shall be the own/close family member of the petitioners.

(ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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