

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12314 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Pramod Thakur @ Pramod Kumar Thakur Son of Late Sidhnath Thakur
Resident of Village - Gangauli, Police Station - Simri, District - Buxar. Hal
Mokam Ahirauli More, Police Station - Buxar Industrial, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.13112 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Pramod Kumar Gupta son of Baijnath Prasad Gupta resident of Industrial
Area, P.S. - Buxar (Industrial), Distt. - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.18365 of 2015

Arising Out of PS.Case No. -153 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

1. Suman Rai son of Barmeshwar Rai, resident of village and P.S. Simri,
District Buxer.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.12314 of 2015)

For the Petitioner/s : Mr. Anil Kumar Roy

(In Cr.Misc. No.13112 of 2015)

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.

(In Cr.Misc. No.18365 of 2015)

For the Petitioner/s : Mr. Nandan Prasad Singh, Adv.

Mr. Manish Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 05-05-2015

All the above-said petitions arise out of Buxar
(Industrial) P.S. Case No. 153 of 2014 registered under Sections-

420, 482, 483, 487, 120(B) of the Indian Penal Code and accordingly, all the above-said petitions are being disposed off by this common order.

On the complaint of proprietor of Ganga Bhog Aatta, raids were conducted by the officials in the business premises of petitioners and allegedly, Ganga Bhog brand Aatta, kept in packets were recovered.

The contention on behalf of the petitioner in Cr. Misc. No. 13112 of 2015 is that the petitioner applied for registration of Super Ganga Bhog Aatta and his application is still pending. Moreover, the Logo of his brand as well as Logo of the complainant's brand are quite different and no case under Section-420 of the Indian Penal Code is made out and at best, it is a case of violation of Trademark Act.

So far as petitioners in Cr. Misc. Nos. 12314 of 2015 & 18365 of 2015 are concerned; it is submitted on their behalf that no Ganga Bhog Brand Aatta was recovered from their business premises.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below,

be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Buxar (Industrial) P.S. Case No. 153 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

A.K.V./-

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