

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39905 of 2015

Arising Out of PS.Case No. -260 Year- 2015 Thana -GAYA KOTWALI District- GAYA

1. Sonu Kumar S/o Shiv Shankar lal@Shiv Shankar Lal Barnwal R/o
Swarajpuri Road, Near Mahavir school ,P.s - Kotwali District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Manoj Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 31-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 420 of the Indian Penal Code, section 63 of Copy Rights Act, section 103, 104 of the Trade Marks Act and section 18©, 27(b)(II), 17, 18(a)(vi) of the Drugs and Cosmetics Act.

Sushil Kumar, the informant being the representative of M/S. Mustafa Hussain Agency, Patna informed the Kotwali police station, Gaya and the police raided the medicine shop of the petitioner and recovered Betadine solution, Roxclav Dry Syrup and Toxclar 200 tab.

It is submitted that the medicine was not sent for examination of its genuineness. D. K. Singh, Director of Alkem



Laboratories Limited has authorized Mr. Mustafa Hussain, Director of M/S. Mustafa Hussain Agency, Patna to make search and seizure and to take legal action on behalf of the Company against any person or firm against counterfeiting in TAXIM injection, TAXIM O-200, A TO Z Syrup, PAN -40 tablets but none of the medicine for which the informant was authorized was recovered from possession of the petitioner. It has no where come that any spurious medicine was recovered.

Considering the facts aforesaid, the petitioner above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 260 of 2015.

(Prabhat Kumar Jha, J)

Amin/-

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