

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8570 of 2015

Arising Out of PS.Case No. -313 Year- 2014 Thana -AMARPUR District- BANKA

1. Chandan Kumar Sah @ Chandan Kumar Son of Naresh Prasad Sah
Resident of Village - Madachak, P.S. Amarpur, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv

For the Opposite Party/s : Mr. Smt. Asha Devi (APP)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 01-05-2015 Heard learned counsel for the petitioner as well as
learned APP for the State.

On account of running a fake branch of Union Bank of India in the house of petitioner, the Senior Bank Officials along with Police Personnel, Administrative Officer conducted a raid, sealed the office, seized the documents and further got this case registered.

Contention on behalf of petitioner is that though the case has been registered under different Sections of the Penal Code but none is applicable, as petitioner has not deceived any body. It has also been submitted that those offences are within the coverage of Trade Mark Act, so it should not have been registered under different Sections of the Penal Code. It has also been submitted that its monogram, receipt etc are subject to

verification/investigation, till then, the prosecution is bad.

Learned APP opposed the prayer and submitted that as per seizure list different items were seized which also contains money receipt. Furthermore, the script thereupon, is to be verified after appearance of the petitioner only and that being so, presence of petitioner is found necessary for which, prayer for anticipatory bail is not at all maintainable.

Considering the nature of the allegation as well as nascent stage of the investigation whereunder, rightly been argued by the learned APP that presence of petitioner happens to be necessary and that being so, prayer for anticipatory bail is rejected.

Petitioner is directed to surrender before the learned lower court, immediately, so that proper investigation should continue.

(Aditya Kumar Trivedi, J)

perwez

U		T	
---	--	---	--