

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7090 of 2015**

Prahalad Mulwani S/o. Late Shri Harjashmal, aged about 39 years,  
R/o. Sihawa Chowk, Dhamtari, Thana and District Dhamtari (C.G.)

**---- Applicant**

**Versus**

State of Chhattisgarh Through Police Station Gurur, District Balod  
(C.G.)

**---- Respondent**

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| For Applicant         | :- | Mr. Alok Kumar Dewangan, Advocate  |
| For Respondent/ State | :- | Mr. Anil S. Pandey, Govt. Advocate |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**17/12/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 813/2015 registered at Police Station- Gurur, District – Balod (C.G.) for the offence punishable under Sections 420 of IPC and 51, 65 of the Copy Right Act.
2. As per the prosecution case, in brief, is that the applicant was prepared the betel nut in the packet of Panraj which was owned by Shivam Betal Nut Private Limited. It is alleged that the wrapper of betel nuts of the applicant was similar to the wrapper of Panraj as such the applicant caught red handed and the offence was registered against the present applicant.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that the applicant runs a betel shop and the wrapper was not displayed under the same label consequently he has not

committed any infringement of copy right and the seizure has not been made. He further submits that the applicant is in jail since 29.11.2015 therefore, he may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary. Considering the facts and circumstances of the case and the nature of allegation levelled against the present applicant; and the fact that seizure has already been made in this case; and all the evidence are documentary in nature and no further custodial interrogation is required and further considering the detention of the applicant as he is in jail since 29.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

**(Goutam Bhaduri)**  
Judge