

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9344 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -PHULWARI District- PATNA

Sanjeet Kumar @ Sonu, aged about 21 years, S/o Sri Vijay Kumar Gupta,
R/v- Sehra, P.S.- Paliganj, Distt- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner is in judicial custody since 14.01.2016 in connection with Phulwarisharif P.S.Case No.24 of 2016 for offences alleged under Sections 420, 120B of the Indian Penal Code and Section 63 of the Copy Right Act and 103/104 of the Trade Mark Act.

The prosecution case in brief, is that Mustaffa Hussain, the informant of this case has given his written statement before the officer in charge of Phulwarisharif Police Station on 13.01.2016 at 9.00 A.M. stating therein that he is resident of village-Milat Colony, Phulwarisharif, Patna and he is the Director of M/S Mustaffa Hussain Agency as also authorized officer of



United Spirit Limited Company. The informant got a secret information that one Sanjeet Kumar and Gollu Kumar were arrested on 13.01.2016 at 2.00 A.M. at the Godown of Mithilesh Kumar and cap, wrapper and sticker of Mc. Dowell Whisky were recovered from the godown of Mithilesh Kumar at Khagaul Road wherein fake alcohol was manufactured for selling it in the market in the name of United Spirit limited.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. Petitioner has got no criminal antecedent and he is in judicial custody since 14.01.2016 . It has further been submitted that co-accused Gollu Kumar has been granted bail by the court of Juvenile Justice Board, Patna on 11.02.2016 and no offence against this petitioner under Sections 103 and 104 of the Trade Mark Act nor under Sections 63 of the Copy Right Act is made out. Nothing has been recovered from the conscious possession of the petitioner.

However, the learned APP opposes the prayer for bail and submits that the petitioner is named in the FIR.

Be that as it may, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the

satisfaction of Mrs. Shema Eram, Judicial Magistrate, Ist Class,
Patna in connection with Phulwarisharif P.S.Case No.24 of 2016.

However, the petitioner will appear before the
police/court as and when required, and, failure to appear on two
consecutive dates will be liable for cancellation of the bail bond
of the petitioner by the court below without being prejudiced by
this order.

(Nilu Agrawal, J)

B.Kr./-

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