

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21635 of 2016

Arising Out of PS.Case No. -263 Year- 2011 Thana -DANAPUR District- PATNA

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1. Amit Kumar son of Sidhnath Prasad Resident of mohalla- Saguna Police Chowki, P.S. Danapur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Rakesh Chhawra son of R.P. Chhawra Resident of R.N.A. 10th Floor, Vatika Towers, Sector 54, Gurgaon, Haryana

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
Mr. Natraj Verma

For the Opposite Party/s : Mr. Gauri Shankar Gupta (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

This application has been filed for quashing the order dated 23.4.2015 passed by the Additional Chief Judicial Magistrate, Danapur in Danapur P.S. Case No.263 of 2011 by which he has taken cognizance against the petitioner for offences under Sections 420 of the Indian Penal Code and Sections 103 and 104 of the Indian Trade Mark Act and Sections 63 and 64 of the Copy Right Act.

As per allegation during search it was found that petitioner was manufacturing spurious articles and pasting the wrapper of trade mark of original company.

Learned counsel for the petitioner submits that seizure was not made by the Dy. S. P which is not in consonance of law, will be seen at the stage of trial.

In such view of the matter, this Court does not find any merit in this application.

Accordingly this application is dismissed. However, petitioner will be at liberty to raise all points before the court below at the appropriate stage.

(Shivaji Pandey, J)

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