

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52068 of 2015

Arising Out of PS. Case No. -336 Year- 2015 Thana -DUMRAUN District- BUXAR

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Shri Niwas Yadav @ Sri Niwas Yadav, son of Nageshwar Yadav, resident
of village- Safarkhana Raod, Dumraon, Police Station- Dumraon, District-
Buxar. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr. Subhash Chandra Mishra (App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

3 04-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
Section 420 of the I.P.C., Sections 63 and 65 of the Copy Right
Act and Sections 103 and 104 of the Trade Mark Act, 1999.

The Chief Vigilance Officer of Dabur Company
instituted a case alleging that quite a number of persons are selling
duplicate Dabur Oil, which undermines the position of the
Company. In course of raid, a huge quantity of Dabur Oil was
recovered from the shop, which was said by the local people to be
that of the petitioner.

Learned counsel submits that the said shop does not
belong to the petitioner. He has no concern with the Dabur oil
recovered from the said shop.

Having regard to the facts and circumstances of the
case, in the event of arrest or surrender before the court below

within four weeks from today the above named petitioner be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case no. 336 of 2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

As the petitioner has been granted bail on the submission that the shop does not belong to him, in case, in course of investigation, there is concrete material that the shop in fact belongs to the petitioner, it will be open for the informant to file an application for cancellation of bail of petitioner before the court below, which would be considered by it.

(Samarendra Pratap Singh, J.)

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