

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20730 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -KHAJEKALA District- PATNA

1. Birendra Tanti @ Viren Prasad s/o Late Dhannu Tanti, resident of Mohalla- Bhitri Begampur, Chippi Tola, P.S.- Chowk, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Pd. Singh, Sr. Advocate.
Mr. Ram Narayan Singh

For the Opposite Party/s : Mr. Yogendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-07-2016 Heard both sides.

The petitioner apprehends his arrest in Khajekalan P.S. case No. 8/2016 under Section 420, 467, 468, 120B of the Indian Penal Code, Section 63 of Copy Right Act and under Section 103/104 of the Trade Mark Act.

The informant alleged that he got secret information that in the house of Lal Babu Ray some persons are selling duplicate brand of USL foreign liquor. On such information, the police raided the house of Lal Babu Ray situated in Choudhary Lane and apprehended Sanjit Kumar and Sunil Kumar and from there huge quantity of rappers, bottles etc. were recovered.

Sri Krishna Prasad Singh, the learned senior counsel

for the petitioner, submits that petitioner was not apprehended on the spot. The petitioner is driver of vehicle and he carries goods from one place to another on hire. The petitioner was not working with Sanjit Kumar and Sunil Kumar. Moreover, Sanit Kumar and Sunil Kumar have already been granted regular bail by the learned court below.

Considering the fact that petitioner was also there and on seeing the police he fled away, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, i.e., learned S.D.J.M., Patna City in Khajekalan P.S. case No. 8 of 2016, and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that Sanjit Kumar and Sunil Kumar, who were apprehended on the spot, have already been enlarged on regular bail and dispose of the bail petition, preferably, on the same day.

With this observation, this application is disposed of.

(Prabhat Kumar Jha, J)

BKS/-

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