

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7887 of 2016

Vimal Kumar, S/o. Madanlal Agrawal, Aged About 52 Years, R/o. Kailash Nagar, Bhilai, Police Station Jamul, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate/ Police Station Jamul, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.C. Verma, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/12/2016

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.494/2016 registered at Police Station- Jamul, District Durg (C.G.) for the offence punishable under Section 420, 120-B, 188 of Indian Penal Code and Section 103, 104 of the Trademark Act, 1999 and Section 63 & 65 of the Copyright Act, 1957.
2. Case of the prosecution, in brief, is that on information received, a raid was being conducted in the Factory premises of the applicant and Pan-masala alongwith Tobacco were recovered in the name of Pan Raj, which was actually owned by Shivam Vitalnuts Private Limited; thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the seizure has already been made, charge sheet has been filed and no further investigation would be necessary and the applicant is in jail

since 24.09.2016; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the fact that the seizure has already been made, charge sheet has been filed, applicant is in jail since 24.09.2016 and the offences are triable by JMFC, 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