

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24374 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -VISHNUPAD District- GAYA
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Dhiloo Choudhary
..... Petitioner/s
Versus
The State of Bihar
..... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. Sri Ahmad Ali
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor for the State.

The petitioner apprehends his arrest in Vishunpad P.S.
Case No. 36 of 2017 instituted for the offence under Sections-420
of the Indian Penal Code, Sections-63/65 of Copy Right Act 1957
and Sections-103, 104 Trade Mark Act 1999.

As per written report, the informant claims himself to be
authorized to take legal action against shopkeeper selling duplicate
items. The petitioner was found selling duplicate items in his shop
as mentioned in the seizure list.

Counsel for the petitioner has submitted that there was no
any local complaint against this petitioner of selling duplicate item
in his shop. The informant claims himself to be authorized person
but no such document has been produced in support of such claim.



From the seizure list, it appears that the items shown in the list are of general use.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above in the event of his arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Vishunpad P.S. Case No. 36 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Gaya subject to conditions as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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