

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30043 of 2017**

Arising Out of PS.Case No. -118 Year- 2017 Thana -MURLIGANJ District- MADHEPURA

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Sanjay Agrawal @ Sanjay Kumar Agrawal

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      01-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Murliganj P.S.

Case No. 118 of 2017 instituted for the offence under Sections-417, 418, 419, 420 of the Indian Penal Code, Sections-63/65 of Copy Right Act, 1957 and under Section-102 of the Trade Mark Act.

According to FIR lodged by the informant who claims himself to be private representative of one Always Detective Services (Pvt.) Ltd. and authorized by M/S K.A.S. Zainulabbin & Company at Chennai to inquire into the duplicate and spurious products of the company and its illegal sale and production in the market. It is alleged that the informant got information that the petitioner is selling Lungi of M/S K.A.S. Zainulabbin & Company of “999 mark” in his shop. The informant went to the shop of the



petitioner and purchased 26 pieces of Lungi of 999 marks, two pieces of Sari and five pieces of towel from the shop of the petitioner and took a cashmemo of that shop. It was found that those Lungies were different from Lungis of M/S K.A.S. Zainulabbin & Company. Thereafter matter was informed to the police.

The cash memo has been enclosed by the informant along with the written report, wherein merely Lungis etc has been mentioned. There is no mention that Lungi of 999 brand has been sold by the petitioner.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Murliganj P.S. Case No. 118 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Madhepura subject to condition 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 petitioners 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)**

A.K.V./-

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