

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47482 of 2017

Arising Out of PS.Case No. -508 Year- 2012 Thana -SITAMARHI District- SITAMARHI

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1. Awadhesh Prasad @ Awadhesh Kumar Tulsyan, son of Shambhu Prasad, R/o Court Bazar, P.S. & District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Smt. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in Sitamarhi P.S.

Case No.508 of 2012 instituted for the offence under Section(s)
420 Indian Penal Code and Sections 63 and 65 of the Copy Right
Act.

Counsel for the petitioner has submitted that the
police after investigation submitted charge-sheet under Section(s)
63 and 65 of the Copy Right Act, which are bailable, but the
learned Court below after differing with the charge-sheet took
cognizance also under Section 420 Indian Penal Code.

Allegation in the written report is that petitioner was
selling fake and duplicate packing of Khusboo Brand Tea in
Sitamarhi town.



In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in **connection with Sitamarhi P.S. Case No.508 of 2012**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, VI, Sitamarhi**, subject to the conditions as laid down under Section 438(2) 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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