

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41349 of 2017

Arising Out of PS.Case No. -151 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Neyaz Ahmad, Son of Late Mukhtar Ahmad R/o Village- Naya Tola Bettiah, P.S.- Bettiah Town , District- W. Champaran.
2. Naseem Ahamad Son of Late md. shamim R/o Ujjain Tola, P.S.- Bettiah Town, District- W. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bettiah (T) P.S. Case No. 151 of 2017 instituted for the offence under Sections-420, 467, 468, 471, 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioners that they have got their own Copy Right and Trade Mark in the name of Niyaz Ahmed Tobacco at P.S. Bettiah (M) Nura Khap Nayaka Tola, Nautan, West Champaran.

The allegation has been levelled against these petitioners by the informant who claims to be Proprietor of Grand Tobacco(P) Ltd that he saw in Ram Pan Bhandar, his product Chand Tara Marka Guls were being sold by the shopkeeper by committing forgery.

Counsel for the petitioners has annexed Annexure-2 to this



petition which is copy of order of Hon'ble Calcutta High Court wherein the petitioners have been allowed to use the trade mark Chand Tara Marka.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six 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 Bettiah (T) P.S. Case No. 151 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran 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) petitioners 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 petitioners tamper 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 petitioners.

(Sanjay Priya, J)

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