

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55158 of 2018

Arising Out of PS.Case No. -452 Year- 2018 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Md. Abdul Samad @ Md. Samad, Proprietor of M/s Sania Electronics,
S/o Md. Abdul Aziz @ Md. Aziz, R/o Mohalla- Bhikahpur Gumti No. 3,
P.S.- Ishachak, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv

For the Opposite Party/s : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 420 IPC and Section 63/65 of the Copyright
Act registered in connection with Kotwali P.S. Case No. 452 of
2018.

3. It is submitted that the petitioner has been falsely
implicated on the allegation of selling non-genuine 'Toofan' fans.
It is submitted that the petitioner is not a manufacturer rather
being a registered dealer he has purchased 96 fans from M/s
Durga Electric on 02.07.2018 against issuance of tax invoice upon
payment of CGST and SGST (Annexure-3). The petitioner claims
clean antecedents.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate Bhagalpur, in connection with Kotwali P.S. Case No. 452 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran

U		T	
---	--	---	--

