

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25013 of 2018

Arising Out of PS.Case No. -1098 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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Vivek Kumar Gautam S/o Bhanu Pratap, R/o E, 20/282 First Floor, Sector-3, Rohini, Delhi North West , P.S.- South Rohini, Delhi.

..... Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

4 24-05-2018 Heard learned counsel for the petitioner and learned APP for the State.

This is a case registered under Sections 406, 420, 467, 468, 471, 120 (B) of the Indian Penal Code, Sections 66(C) and 66 (D) of Information and Technology Act, Sections 63, 63 (B) of Copyright Act and Sections 102, 103 and 104 of Trade Mark Act.

It is submitted by the petitioner’s counsel that he is only the Branch Manager and that the primary responsibility is of the company and the proprietors. He undertakes that he will return the entire amount of Rs 10,00,000/- (Ten Lakhs) deposited by the petitioner. It is submitted that he would deposit the first installment of Rs 5,00,000/- (Five Lakhs) immediately and the remaining amount of Rs 5,00,000/- (Five Lakhs) on two equal installments within one month from his release on provisional bail.



Considering the submissions, petitioner may be released on **provisional bail** subject to deposit of Rs 5,00,000/- (Five Lakhs) by way of Demand Draft and after the same is encashed on his furnishing bail bond of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Muzaffarpur** in **Ahiyapur P.S. Case No. 1098 of 2017**. The bail of the petitioner shall be confirmed on payment of remaining amount of 50 percent within two months thereafter.

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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