

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32751 of 2019

Arising Out of PS. Case No.-228 Year-2018 Thana- DORIGANJ District- Saran

1. Govind Prasad, aged about 50 years (Male) S/o Late Raghunath Prasad Resident of Village-Puranigurathi Lane of Jataband, P.S.-Chapra Town, District- Saran at Chapra.
2. Dhananjay Chaurasiya aged about 33 Years (Male)
3. Sanjay Chaurasiya aged about 37 Years (Male)
Both are sons of Rajendra Chaurasiya, Resident of Village- Bhairpour, P.S.- Doriganj, District Saran at Chapra
4. Vijay Jaiswal, aged about 37 years (Male) S/o Hiralal Jaiswal @ Hira Jaiswal
5. Hiralal Jaiswal @ Hira Jaiswal, aged about 58 years (Male) S/O Late Moti Lal Jaiswal
Both are resident of Mohalla- Mouna, P.S.- Chapra Town, District- Saran at Chapra

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 103 and 104 of the Trade Marks Act, 1999; Section 67 of the Copyright Act, 1957 and Sections 417 and 420/34 of the Indian Penal Code registered in connection with Doriganj P.S. Case No. 228 of 2018.

3. It is submitted that the petitioners have been falsely implicated as the offences alleged under Sections 103 and 104 of Trade Marks Act, 1999 as well as Section 67 of the Copyright Act, 1957 are bailable. The offences as alleged under Section 420/34 of



the Indian Penal Code are non-bailable offence and so also the offence under Section 417 of the IPC is bailable but non-bailable offences under Section 420/34 of the IPC are not attracted in the present case.

4. Learned APP submits that the petitioner is misleading the Court by submitting that the offence under Section 103 of the Trade Marks Act, 1999 is bailable whereas the same is non-bailable in nature.

5. Having regard to the nature of the offence alleged as well as in view of the petitioners' submission that the offence under Section 103 of the Trade Marks Act, 1999 is bailable whereas the same is found to be non-bailable, I am not inclined to grant anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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