

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54509 of 2019

Arising Out of PS. Case No.-282 Year-2019 Thana- BRAHMPUR District- Buxar

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UTTAM KUMAR SRIVASTAVA Son of Jagat Narayan Srivastava Resident
of Village- Kathar, P.S.- Brahampur (Krishna Bramh), District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Moleshwar
For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Brahmpur (Krishna Bramh) P.S. Case No. 282 of 2019**, instituted for the offence under Section(s) 63/65 of the Copy Right Act, 1967, Sections 103, 104 of the Trade Mark Act, 1999 and Section 420 of the Indian Penal Code.

It is alleged in the written report that 756 pieces of Dabour Gylabari (Gulab Jal) besides some stickers and plastic bottles have been recovered from shop of the petitioner.

Counsel for the petitioner submits that petitioner has no criminal antecedent. He further submits that no incriminating article has been recovered from shop of the petitioner. The articles which is alleged to have been recovered



from his shop, is not duplicate items. There is no any laboratory test report to confirm that recovered articles are duplicate items. All the other Sections except Section 420 Indian Penal Code are bailable. Section 420 is not applicable in this case.

Petitioner is in custody since 30.6.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Buxar,** in connection with **Brahmpur (Krishna Bramh) P.S. Case No. 282 of 2019,** subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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