

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7098 of 2019**

1. Prahlad @ Pahlul Mulwani S/o Late Harjasmal Mulwani Aged About 43 Years, R/o Sihawa Chowk, Police Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh.
2. Mukesh Rathi S/o Urna Ram Rathi Aged About 30 Years, R/o Rohina, Tahsil Jayal, Police Station Badikhatu, District Nagaur Rajasthan, At Present P. M. Market, Village Shakarwara, Police Station Arjuni, District Dhamtari, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Arjuni, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Anil Gulati, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12/12/2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 251/2019 registered at Police Station-Arjuni District-Dhamtari (C.G.) for the offence punishable under Sections 272, 420 of IPC and 63, 65, 68 of Copyright Act.
2. The prosecution story, in brief is that, complainant Amit Bodhra lodged a report that on 19.10.2019, the applicants using the trade mark of Vimal Pan Masala, although the applicants did not possess any license or copyright of the said Vimal Pan Masala Trade and the raid being conducted and three machines and other items were seized from the factory of the applicant No. 1. Based on this offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are

innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 19.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that the present applicants are in jail since 19.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**