

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 17086 of 2020

Arising Out of PS. Case No.-424 Year-2016 Thana- HAJIPUR District- Vaishali

1. ASHOK KUMAR S/o Kishan Singh R/o Mohalla- Bagmali, P.S.- Hajipur Town, District- Vaishali
2. Naresh Chaudhary S/o Mahesh Chaudhary R/o Station Road Hajipur, Anvarpur, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and Sri Uday Pratap Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Hajipur Town PS case no. 424 of 2016 registered for the offences punishable under Sections 420, 120B/34 of Indian Penal Code, 63, 65 of Copyright Act and Sections 102, 103 of Trade Mark Act.

The allegation in brief is that the petitioners who are stated to be having Shringar and Gift Stores at the Station



Road, Hajipur, are alleged to have stocked spurious and duplicate cosmetics articles like Lakme Mascra and Lakme eye-brow pencil etc. and upon search being made by the police, the said spurious/ duplicate cosmetic articles were recovered from the said shops.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that the petitioners have purchased the cosmetic articles from the dealers and to the said effect, they have produced the invoice which has been annexed to the present petition. It is further submitted that till date, the seized cosmetic articles have not been sent to the Forensic Lab for testing and merely on conjectures and surmises, a false allegation has been levelled against them.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the learned court below within a period of six weeks from the date of receipt/ production of a copy of this order, are



directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur at Vaishali in connection with Hajipur Town PS case no. 424 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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