

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31374 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- KATHAIYA District- Muzaffarpur

Md. Nabi Hassan @ Md Navi Hasan S/o Late Abdul Latif R/o Thikahan
Vasudeva, P.S.- Kathaiya, District- Muzafarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sumit Shekhar Pandey
For the Opposite Party/s :	Mr. Anuj Kumar
:	Mr. Aditya Pandey
:	Mr. Arvind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-07-2021 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kathaiya P.S. Case No. 119 of 2020 registered for the offence punishable under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code and Sections 63/64 of the Copyright Act.

The case was lodged on the basis of written report of the



informant who was posted as Area Manager in Grand Tobacco Pvt. Limited that petitioner and other unknown persons were found selling duplicated products using trade mark of Grand Tobacco Pvt. Limited which caused financial loss to the said company.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that the seized products as shown in the seizure list do not resemble any aspects of the products of the informant or his company trademark or copyright, therefore, no case is made out against the petitioner and there is violation of Section 100 Cr.P.C.. He further submits that seizure list does not bear the signature of petitioner and it is only at the instance of the informant that the petitioner has been draged in a vexatious, baseless and false criminal litigation. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 06.02.2021.

Learned APP for the State and learned counsel for the informant opposed the bail petition stating that the alleged recovery was made from the house of the petitioner.

Considering the facts aforesaid and the period of custody of the petitioner, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Kathaiya P.S. Case No. 119 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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