

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25114 of 2022

Arising Out of PS. Case No.-997 Year-2021 Thana- MADHEPURA District- Madhepura

MD KALIM@MD KALIM MIAN SON OF LATE MD. KASIM MIAN
RESIDENT OF VILLAGE- GHAILARH, P.S- MADHEPURA, GHAILARH
O.P- DIST- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and Section 103 and 104 of the Trade Mark Act and Section 63, 64 and 65 of the Copy Right Act.

The informant alleges that several fake articles were recovered from the house of the petitioner which is being manufactured by the informant's company.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted



that from bare perusal of the allegation as alleged in the FIR it would manifest that recovery was not made in pursuance of raid conducted by the police but the informant who is an Investigator-in-Chief of a private company alleges that the premises of the petitioner was raided and articles as detailed in the FIR were seized. Learned counsel next submits that then it becomes very easy for a private individual to implicate anyone in the case, it is also submitted if what has been alleged in the FIR is true then an FIR ought to have been instituted with the police and if after inquiry or investigation or raid the articles would have been seized from the premises of the petitioner then definitely an aspersion would have been cast on him.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 997 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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