

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50149 of 2022

Arising Out of PS. Case No.-231 Year-2022 Thana- BYPASS District- Patna

Shivam Kumar Son of Late Santosh Kumar Resident of Mohalla - Begampur,
Patna City, P.S. - Bye Pass, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Arun Kumar, Advocate
For the Opposite Party : Mr. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022 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 offence punishable under Section 420 of the Indian Penal
Code.

As per the prosecution case, petitioner is the proprietor of
Shivani Handlooms and selling his product by pasting the label
of Bumchum.

It is further submitted that the father of the petitioner was
running a business in the name of M/S Shivani Handloom. He
being the proprietor of the said firm had applied before the
Registrar of Trademarks for registration of a Trademark in the
name of Sikaya. The father of the petitioner was manufacturing
and selling the product in the name and logo of the registered
Trademark namely Sikaya.



It is further submitted that during investigation of the seized items, none of the seized boxes contained the name of Bumchum and the seizure list mentions the print of Sikaya Trade Agency. Petitioner has got no criminal antecedent.

Learned counsel appearing for the State vehemently opposes the prayer for bail.

Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional District and Sessions Judge IInd Patna City, in connection with Patna Bypass P.S. Case No. 231 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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