

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4553 of 2023

Arising Out of PS. Case No.-793 Year-2022 Thana- KANTI District- Muzaffarpur

=====

ALAM @ AFTAB ALAM @ MOHAMMAD ALAM @ MOHAMMAD
AFTAB ALAM S/O ABDUL SAMAD Resident of Village- Sadatpur, P.S.-
Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Adv.

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Kanti
P.S. Case No. 793 of 2022 dated 19.11.2022 registered for the
offence under Sections 406, 409, 420, 467, 468 and 120(B)
of the Indian Penal Code and Sections 63, 13 and 104 of the
Copyright Act.

The petitioner along with others are alleged to
have been found in illegal trade of manufacturing and
packing duplicate oil and certain MRP sticker, 3D sticker and
bottles, seal form the F.I.R. named accused persons.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. against the petitioner is false and fabricated. He further submits that it appears from the seizure list that only sicker, empty bottle, wrapper, bottle seal have been recovered from the place of occurrence but no duplicate oil has been recovered nor any machinery relating to oil manufacturing has been found by the police. Except suspicion, no cogent material has surfaced against the petitioner during course of investigation to suggest his involvement in the alleged commission of illegal manufacturing of oil. The petitioner is rotting in judicial custody since 20.11.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M-1st, Class, Muzaffarpur in connection with Kanti P.S. Case No. 793 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

