

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27160 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- CHAUTHAM District- Khagaria

PAWAN YADAV S/O UDIT YADAV R/O Village- Brahma, P.S- Chautham,
Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish, Adv.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Chautham
P.S. Case No. 89 of 2022/ G.R. No. 878 of 2022 dated 10.04.2022
registered for the offence under Sections 419, 420 and 467 of the
Indian Penal Code and Sections 63 and 65 of the Copyrights Act,
1957.

The petitioner is alleged to have indulged in dealing
with the duplicate products of Bajaj Consumer Care and Marico
Limited and they are being manufactured and on the search of,
huge quantity of Nihar naturals coconut Hair Oil and Bajaj
Alamond Drops.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in



this case. He further submits that it appears from the F.I.R. and seizure list that 300 pieces of Bajaj Almond Drops of 200 ml and 60 pieces of 100 ml ready stock along with other branding materials have been recovered from the house of the petitioner. He further submits that there is non-compliance of Section 100 of the Cr.P.C. and the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that no case attracting the provisions of copyright Act is made out against the petitioner. The petitioner is rotting in judicial custody since 16.03.2023.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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 Chief Judicial Magistrate, Khagaria in connection with Chautham P.S. Case No. 89 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)

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