

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38711 of 2023

Arising Out of PS. Case No.-202 Year-2023 Thana- RAJGIR District- Nalanda

Nagina Yadav, Son of Late Dhaneshwr Yadav, Resident of Village Kalyani
Town, Ps- Rajgir, Dist -nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajgir P.S. Case No.202 of 2023 lodged on 18.04.2023 under
Sections 420, 120B/34 of the Indian Penal Code, Sections 63/65
of the Copyright Act, 1957 and Sections 103/104 of the Trade
Marks Act, 1999.

3. As per the prosecution case, on being received
secret information to the effect that duplicate products of
various companies are being prepared and used to supply and
repack at the house of the petitioner, the present case has been
lodged under the provisions of the Indian Penal Code, Copyright
Act, and Trade Mark Act.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is an old aged person aged about 60 years and he has nothing to do with the business, rather he has given his house on rent to co-accused, Ratan Kumar. The petitioner has not been arrested from the place of occurrence and he is residing at a different place. He further submits that the maximum offences under the Copyright Act and Trade Mark Act is six months and Section 420 and 120B of the Indian Penal Code is not made out against the petitioner. He further submits that the petitioner is in custody since 19.04.2023 and the chargesheet has already been submitted. Apart from the present case, the petitioner is accused in three other criminal cases, out of three cases, in two cases he has been granted bail whereas in one case he is pursuing bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum- Special Judge, POCSO Court, Patna, in connection with



Rajgir P.S. Case No. 202 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, which shall be resulted in the cancellation of his bail bond.

B. One of the bailors shall be a close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of the present bail bond, violation of this condition shall result in cancellation of his present bail bond.

(Dr. Anshuman, J)

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