

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76552 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- JADIA District- Supaul

ASIF ZIYA S/O MD. ZIYA-UL-HODA R/O VILLAGE- BAGHELI, WARD
NO. 12, P.S- JADIA, DISTT.- SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Jadia P.S. Case No. 49 of 2022 dated 11.02.2022 registered for the offences punishable u/s 420 of the Indian Penal Code and u/ss 63 and 65 of the Copyright Act.

3. As per the prosecution case, the informant is working as a Research Officer in V and J Company and his company authorized the informant to investigate the genuineness of T.V.S. motorcycle parts, whether they are genuine or fake, in the cities. In the course of inspection, the informant reached Hindustan Auto located at *Jodiya Bazar* near the petrol pump and when he inspected the Hindustan Auto of



Asif Ziya, the duplicate parts of T.V.S. motorcycle were found in Hindustan Auto and the same was seized by police.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Nothing has been recovered from the shop of the petitioner and the petitioner has no concern with the alleged recovery hence, no Section 420 is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Supaul in connection with Jadia P.S. Case No. 49 of 2022 , subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioner is directed to



remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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