

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3559 of 2023

Arising Out of PS. Case No.-327 Year-2022 Thana- ARARIA District- Araria

1. MD. MAHBOOB ALAM @ MAHBOOB ALAM Son of Masood Alam Resident of village - Maulvi Tola, Ward No.- 25, Police Station - Araria, District - Araria.
2. Taukirul Haque Son of Nazrul Haque Resident of village - Maulvi Tola, Ward No.- 25, Police Station - Araria, District - Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anamul Haque, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Araria P.S. Case No. 327/2022 registered for the offences punishable under Section 63 of the Copy Right Act, 1957. They have no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while getting secret information, the informant came to know that some shopkeepers of the Chandni Chowk selling duplicate cosmetic articles using the name of Hindustan Uniliver and on 21.04.2022 with the help of local police action was taken against the petitioners and duplicate cosmetics were seized.



Learned counsel for the petitioners submits that petitioner has been falsely implicated in this case. Learned counsel submits that the co-accused Mehtab and Sahzad Alam have been granted pre-arrest bail by a learned coordinate Bench of this Court in Cr. Misc. No. 72338/2022 vide order dated 23.03.2023.

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

Having regard to the facts and circumstances of the case, the nature of allegations and that the co-accused Mehtab and Sahzad Alam have been granted pre-arrest bail by a learned coordinate Bench of this Court in Cr. Misc. No. 72338/2022 vide order dated 23.03.2023, this Court directs that in the event of their arrest or surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 327 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any



stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

Rajeev/-

(Rajeev Ranjan Prasad, J)

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