

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64925 of 2023

Arising Out of PS. Case No.-509 Year-2020 Thana- HILSA District- Nalanda

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TUNNA MUNNA KUMAR @ TUNNA MUNNA PRASAD S/O SOHABAN
RAI @ RAM SOHABAN RAI R/O VILLAGE- KAUSHIK NAGAR, PS.
HILSA, DIST. NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in connection
with Hilsa P.S. Case No.509 of 2020, registered for the offence
punishable under sections 419, 420 of the I.P.C., sections 63, 64
and 65 of Copyright Act and sections 103 and 104 of Indian
Trade Mark Act.

3. Allegedly, a raid was conducted in the shop of the
petitioner. Huge number of fake bottles of rose water, empty
bottles of Rose water, fake wrappers of Dabar India Limited
Company, fake wrappers of Rose water, fake Oil of Dabar India
Company Limited and other articles have been recovered from
his shop.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has not committed any offence. He has been falsely implicated in this case due to business rivalry. No fake articles of any brand have been recovered from the shop of the petitioner or from his conscious physical possession. It is submitted that the petitioner was granted the benefit of section 41(a) of the Cr.P.C. and after investigation, the police has filed charge sheet against the petitioner. There is no allegation against the petitioner to tamper the evidence. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Considering the aforesaid facts and circumstances and that the recovery has been made from the shop of the petitioner, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.
7. This application is accordingly dismissed.
8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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