

11.06.2024
SL No.26
Court No.29
TN
(Allowed)

CRM (A) 1867 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Arambagh Police Station Case No.202 of 2024 dated 20.04.2024 under Sections 420/406/468/471/120B of the Indian Penal Code and 61/63 of the Copyright Act.

And

In the matter of : **Kartick Bhattacharya @ Kartick Bhattacharyya**

- petitioner.

Mr. Niladri Sekhar Ghosh,
Ms. Sompurna Chatterjee,
Mr. S. Mondal,
Ms. Laboni Sikder,
Mr. Rony Mondal

....for the petitioner.

Mr. Debasish Roy, Ld. PP,
Ms. Anasuya Sinha, Ld. APP,
Mr. Samarjit Balial

... for the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. The learned Counsel has also drawn our attention to the order dated 2nd May, 2024 passed by the Additional District and Sessions Judge, First Court, Arambagh, Hooghly recording that the CD and LCR do not show that the *de facto* complainant is the owner of the registered trademark of which the violation has been alleged.
2. The learned Counsel for the State in opposing the prayer for anticipatory bail has submitted that in spite of service of notice under Section 41A of the CrPC, the petitioner has not cooperated in the investigation.

3. Considering the materials available in the case diary and the nature of the dispute between the parties, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Kartick Bhattacharya @ Kartick Bhattacharyya** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. It is further directed that the present accused petitioner shall meet the Investigating Officer of this case once in a week or as and when required till submission of the final report and also with a further condition that the present accused petitioner shall appear before the learned trial court within a fortnight from date.
5. Accordingly, the application for anticipatory bail is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)