

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2649 of 2025

Arising Out of PS. Case No.-445 Year-2024 Thana- BANKA District- Banka

Kunj Bihari Sah @ Kunj Bihari Son of Ashok Kumar Sah @ Ashok Kumar
Resident of Mohalla - Karhariya, Shitla Mandir, Bhagalpur Road Power Grid,
Near Dokaniya Petrol Tanki, Ward No. 13, P.O. and P.S. - Banka, District -
Banka, Pin - 813102, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
Ms. Geeta Kumari Jha, Advocate
For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 02-07-2025 Heard the learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offences under Sections 103 and 104 of the Trade Mark Act,
1999 and Sections 63 and 64 of the Copy Right Act, 1957.

3. As per the prosecution case, the informant on secret
information that fake products of Natiro was being
manufactured in Banka and kept at a go down at Bhagalpur and
upon a raid being conducted, recovered huge quantity of fake
products related to Bayer Corpscience Limited. It has been
further alleged that one person was apprehended, who disclosed
his name as Kunj Bihari Sah @ Kunj Bihari (the petitioner) and



on search, found (i) 6050 pieces of Natiro 100 gms each; (ii) 5500 pieces of Empty Packet Natiro; (iii) loose powder about 85 kg and (iv) one seal machine.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he was a mere worker at the said go-down and had no concern with recovered items. It has been further submitted that the charge-sheet has already been submitted against the petitioner, who has clean antecedent and is in custody since 27.10.2024.

5. Learned APP for the State as well as learned counsel for the informant have jointly opposed the prayer for bail of the petitioner and has stated that the petitioner was found in possession of fake goods which are against the provisions of the Trade Mark Act.

6. Considering the aforesaid facts and circumstances and taking into account the period of custody, the petitioner above named be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Banka P.S Case No.445 of 2024, subject to the conditions :-

(i) one of the bailors shall be the close relative of the



petitioner.

(ii) the petitioner shall remain physically present in the Court on each date of trial.

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) the learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his/her criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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