

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51862 of 2025

Arising Out of PS. Case No.-257 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Lal Deo Pandit S/o Raghunath Pandit Resident F13/91 Rohini Sector 15 Near Vidya Bharat School Sector 15, North West Delhi- 110089, at present resident at Ward 3F New Sheetal Tola Near Bus Stand Arrah P.O. Arrah, Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Subodh Kumar, learned counsel for the petitioner and Mr. Mohammed Arif, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Udwant Nager P.S. Case No. 257 of 2025, F.I.R. dated 20.05.2025 for the offences punishable under Sections 318 of the Bhartiya Nyay Sanhita, 2023 and 103, 104 of Trade Mark Act.

3. As per the First Information Report, on 20.05.2025, representative from M/s Jindal Stainless Limited informed that M/s Balajee Engineering Works owned by the petitioner is manufacturing pipes while affixing JINDAL mark on it. It is further alleged that at the time of raid in the premises owned by



the petitioner, a lot of stainless steel pipes bearing the infringement trademark and some DYE (stamp) were found.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Infact the petitioner is the owner of the M/s Balajee Engineering Works and no case is made out under Section 318 of BNS and 130, 104 of Trade Mark Act. He further submits that the petitioner has never used the DYE of the Jindal Mark as alleged in the FIR.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the petitioner has never used the DYE of the Jindal Mark as alleged in the FIR, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojur, Ara in connection with Udwant Nager P.S. Case No. 257 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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 criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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