

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 6167 of 2021

Praveen Kumar Sao @ Praveen Kumar Saw
... Petitioner
Versus
The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Vaibhav Vishal, Advocate
For the State : Mr. Ravi Prakash, Spl. P.P.

Order No.02 Dated- 06.09.2021

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Giridih (Town) P.S. Case No.193 of 2020 registered under sections 420 of the Indian Penal Code and under Section 51/63 of Copyright Act, 1957.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner was selling a sewing machine by using the brand name Elize & Elize of Punjab Sewing Machine Company in violation of the copy right act and trade mark act and the company sent a legal notice to the petitioner prohibiting him to sell the said sewing machine but the petitioner has sent a reply to the same mentioning therein that the said statement has been issued in favour of Punjab Sewing Machine Company, Ranchi and the petitioner purchased the said seized sewing machines from the dealer of the said Punjab Sewing Machine Company, Ranchi. It is further submitted that the allegations against the petitioner are all false and the informant is

not the authorized person of the person in whose favour the concerned trade mark has been granted. It is next submitted that the dispute between the parties is at best a civil dispute. It is then submitted that the petitioner is ready and willing to cooperate with the investigation of the case. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

Learned Spl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Giridih, in connection with Giridih (Town) P.S. Case No.193 of 2020 with the condition that the petitioner will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

(Anil Kumar Choudhary, J.)

Sonu/Gunjan-