

## **Standard Act vs In Re: Rabi Bhagat & Anr on 6 July, 2023**

06.07.2023 Sl. No.12 akd [ALLOWED] C. R. M. (A) 2525 of 2023 In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 19.06.2023 in connection with Chanchal Police Station Case No. 445 of 2023 dated 18.04.2023 under Sections 420/468/471/34 of the Indian Penal Code read with Sections 63/64 of the Copyright Act and Sections 52/59/63 of the Food Safety and Standard Act.

And In Re: Rabi Bhagat & Anr.

... ... Petitioners Mr. Kallol Mondal Mr. Krishan Ray Mr. Souvik Das Ms. Roma Roy Mr. Sourav Mukherjee ... ... for the petitioners Mr. S. S. Imam Mr. R. Jana ... ... for the State It is submitted on behalf of the petitioners that they have a registered trade mark and are carrying on lawful business. Accordingly, they pray for anticipatory bail.

Learned advocate appearing for the State disputes such fact. We have considered the materials on record. Articles bearing incriminating marks have already been seized. In view of the aforesaid development, we are of the opinion custodial interrogation of the petitioners for progress of investigation is not necessary and they may be granted anticipatory bail however, subject to strict conditions.

Accordingly, we direct that in the event of arrest, the petitioners, namely (1) Rabi Bhagat & (2) Sanjoy Bhagat @ Sanjay Bhagat, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, 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 and on further condition that the petitioners, while on bail, shall meet the Investigating Officer once in a week until further orders. They shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of. (Ajay Kumar Gupta, J.) (Joymalya Bagchi, J.)