

Court No. - 44

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 47932 of 2023

Applicant :- Kapil

Opposite Party :- State of U.P.

Counsel for Applicant :- Vijay Tripathi, Rajeev Kumar

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for the applicant, learned AGA and perused the record.

2. In terms of the FIR, it was alleged that the websites named in the FIR were involved in causing piracy by illegally streaming the data as shown by various OTT platforms. As against the applicant, it was alleged that the applicant was involved in getting the bank accounts opened. The applicant has no criminal antecedent.

3. Learned AGA has opposed the bail application.

4. Considering the nature of the allegations which are primarily under Section 66B & 66D of the Information Technology Act and Section 85A of Copyright Act, which are punishable by a term less than 7 years, coupled with the fact that the applicant has no criminal antecedent, the applicant is entitled to be enlarged on bail. In view thereof, the application is **allowed**.

5. Let the applicant **Kapil** be released on bail in FIR No.286 of 2023, under Section 420, 467, 468, 471 IPC, Section 66B, 66D of Information Technology Act & Section 65 of Copyright Act, P.S. Shahganj, District Agra on his furnishing a personal bond with two sureties of Rs.25,000/- each to the satisfaction of court concerned with the following conditions:

(a) The applicant shall execute a bond to undertake to attend the hearings;

(b) The applicant shall not commit any offence similar to the offence of which he is accused or suspected of the commission; and

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Order Date :- 8.11.2023/nishant