

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46894 of 2018

Arising Out of PS.Case No. -351 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

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1. Nilesch Kumar Sinha, son of Sri Parmanand Yadav,
2. Sushil Kumar @ Sushil Kumar Yadav, S/o Mahendra Prasad Singh,
Both are residing at Suprabhat Building, 2nd Floor, CEAT Compound,
Exhibition Road, P.S. Gandhi Maidan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Rajballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 25-08-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Gandhi Maidan P.S. Case No.351 of 2017** instituted for the offence under Section(s) 420/34 Indian Penal Code and Sections 37, 51, 63, 55, 69 of the Copy Right Act.

The informant has alleged that the petitioners were illegally telecasting the programmes of M/s Zee Entertainment Enterprises Ltd. without proper permission of the authority for telecasting.

Counsel for the petitioners submits that there is already a forum, namely, TDSAT, for redressal of grievance of the informant. The informant has wrongly used this forum to harass the petitioners.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Gandhi Maidan P.S. Case No.351 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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