

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26244 of 2018

Arising Out of PS.Case No. -528 Year- 2017 Thana -KADAMKUAN District- PATNA

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Pankaj Kumar @ Pankaj Singh, Son of Rajballam Prasad, R/o Near Shiv
Mandir, Khemnichak, P.S.- Ramkrishna Nagar, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Sri Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection
with Kadamkuan P.S. Case No. 528 of 2017 registered under
Sections 474, 471, 420 of the Indian Penal Code and Section
63(a) of the Copyright Act.

It is submitted by the learned counsel for the
petitioner that even if the entire allegations made in the FIR are
believed to be true, none of the ingredients of the offences
punishable under Sections 420, 471, 474 of the Indian Penal
Code would be attracted against the petitioner. It is further



submitted that the petitioner is a book binder and is only responsible for binding books which are given to him by his customers and his implication in this case for violation of Copyright Act is patently bad in the eye of law.

Learned counsel for the informant submitted that the informant is running a coaching centre. He also runs a publication house in the name of Times Publication and his book has been photocopied by the petitioner and is being sold in the market.

Be it as it may, considering the facts and circumstances of the case and the submissions made by the parties, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned learned Judicial Magistrate-1st Class, Patna in connection with Kadamkuan P.S. Case No.528 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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