

14.01.2021
Court No.28
Item No. 117
Krishnendu
ALLOWED

C.R.M. 104 of 2021

(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re : **Akash Agarwal**

.....Petitioner

Mr. Sumitava Chakraborty

....For the Petitioner

Mr. Apurba Kumar Datta

.....For the State

Apprehending arrest in connection with Burrabazar Police Station/E.B. Case No. 184 of 2020 dated 16.09.2020 under sections 63/65 of the Copyright Act read with sections 120B/420 of the Indian Penal Code, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits that the petitioner is a partner of Agro Machinery & Co. The manufacturer, from whom the petitioner's firm avails products, has a copyright dispute with another manufacturer, pertaining to which proceedings are pending. The other partner **of** the petitioner's firm has already been granted anticipatory bail and as such custodial detention of the petitioner is not necessary.

The learned advocate appearing for the State opposes the prayer for anticipatory bail and places before us the case diary.

Having heard the learned advocates appearing for the respective parties and upon considering the materials in the case diary and as co-accused persons have already been granted anticipatory bail, we are of the opinion that custodial detention of the petitioner is not necessary.

Accordingly, we allow the application and direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner will meet the Investigating Officer of the case once a week on a from 21st January, 2021, until further orders.

The application for anticipatory bail, being CRM No. 104 of 2021, is, thus, disposed of.

(Tirthankar Ghosh, J.) (Tapabrata Chakraborty, J.)