

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30935 of 2021

Arising Out of PS. Case No.-458 Year-2020 Thana- SITAMARHI District- Sitamarhi

MUKESH PRASAD Son of Sri Raj Kishore Prasad Resident of Mohalla-
Ghoshala Road, Ward No.2, Police Station and District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Sah, Advocate
		Mr. Sunil Prasad Singh, Advocate
For the Opposite Party/s :		Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-01-2022 Heard Mr. Rajendra Sah, learned Advocate for
the petitioner and Mr. Ram Naresh Rai, learned APP for
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sitamarhi P.S. Case No. 458 of
2020 dated 04.09.2020 instituted for the offences under
Section 420 of the Indian Penal Code and Section 63 of
the Copyright Act.

The petitioner is sought to be prosecuted in this
case for selling fake books said to be published by
Malhotra Book Depot.

Learned counsel for the petitioner has
submitted that assuming but not admitting that fake
books were sold from the shop of the petitioner, that by
itself would not make him liable for his prosecution for



the offence under Section 420 IPC or for Section 63 of the Copy Rights Act in the absence of any accusation with respect to petitioner having printed the same or of having taken part in conspiracy to take out fake books in the name of other publisher and having knowledge that the books in question were not published by Malhotra Publishers.

Regard being had to the fact that the petitioner is a book-seller who owns a book-shop, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 458 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

