

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29355 of 2022**

Arising Out of PS. Case No.-22 Year-2022 Thana- SANGRAMPUR District- Munger

Nilabh Kumar Son Of Shiv Narayan Bhagat R/O Village- Sangrampur, P.S.-
Sangrampur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan
For the Opposite Party/s : Mr. Rajeev Nayan App,231

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sangrampur P.S. Case no. 22 of 2022 instituted for the offence under Section 486 of the Indian Penal Code and section 63 of the Copy Right Act.

As per allegation in the FIR, while the informant was seperately checking the misuse of his brand namely, Ashirwad Pipe Pvt. Ltd., he found that the petitioner was manufacturing and selling Ashirwad Water Tank. It is further alleged that during course of searching the petitioner's shop, there are five water tank of his brand were recovered with duplicate plastic logo.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. It is further submitted that the Petitioner is an entrepreneur of a plastic product where for he has got a license from ministry of Micro, Small and Medium Enterprises for the manufacturing of Rubber and plastic products as well as polymer, synthetic and PVC water storage tank in the brand of METROPLAST which is mentioned in para 6 of the petition and is annexed as annexure 2. It is further submitted that the petitioner has not made infringement of copyright as alleged by the informant. He has got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sangrampur P.S. Case no. 22 of 2022, he will be enlarged 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 learned Judicial Magistrate, 1st Class,



Munger subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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