

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34139 of 2022

Arising Out of PS. Case No.-680 Year-2021 Thana- SASARAM NAGAR District- Rohtas

AJAY KUMAR KASHYAP S/o Late Shankar prasad Kashyap Resident of
Mohalla - Khilanganj, Ward No. 31, Sasaram, P.S.- Sasaram (T), District -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 Heard learned senior counsel for the petitioner, Shri
Krishna Prasad Singh and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419 and 420 of the Indian Penal Code, Sections 63, 64, 65 of the Copy Right Act and Sections 102, 103, 104 of the Trade Mark Act.

Learned senior counsel for the petitioner submits that informant (Pawan Kumar), Senior Investigator of Bricks Management, alleges that during the course of the inquiry, he came to know that some shopkeepers are selling duplicate jeans of Sparky company in their shop, further, with the help of police on 4.09.2021 recovered sixty pieces of duplicate jeans from Pankaj Kumar, further, recovered twenty one pieces of duplicate



jeans from Ajay Kashyap, accordingly, the FIR was instituted.

Learned senior counsel submits that petitioner has been falsely implicated in the present case, it is next submitted that had the petitioners been involved in a business of selling cloths as alleged then definitely they would not have been doing it so openly by opening a shop and thus would have created evidence against themselves, it is next submitted that petitioners being shopkeepers were purchasing garments from Annapurna Sales, New Delhi and the alleged recovered material were also purchased from the said seller and, as such, petitioner was not aware that the jeans which were seized were duplicate items. It is next submitted that at the cost of repetition that petitioners are businessmen and were selling cloths without knowing that the same were duplicate.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sasaram Nagar P.S. Case No. 680 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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

