

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.47983 of 2022**

Arising Out of PS. Case No.-108 Year-2022 Thana- MOUZA HIDPUR District- Bhagalpur

Akash Kumar Son Of Mahendra Mandal R/O Mohalla- Mohdinagar,
Kutubganj, P.S.- Babarganj, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 09-12-2022 Learned counsel for the petitioner will remove all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Harendra Prasad, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Mojahidpur (Babarganj) P.S. Case No. 108 of 2022 dated 07.04.2022 registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code. He is in custody since 26.06.2022. The petitioner has got no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, informant got information that owner of Harsh Old Book, namely Manoj Kumar and owner of Yash Old Book namely Akash Kumar (petitioner) used to sale the



duplicate books. On search there is alleged recovery of 1417 duplicate books of Bharti Bhawan Publication, 298 books of S. Chand, 88 books of Spectrum Publication, 319 books of SBPD Publication, 114 books of Dhanpat Rai and Co. Ltd., 15 books of Laxmi Publication Pvt. Ltd. and 40 books of Macgro Hill Education Indian Pvt. Ltd. from the house of present petitioner. It is further alleged that petitioner and others are involved in printing and selling duplicate books.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that co-accused similarly situated is said to have been granted bail in Cr. Misc. No. 35427 of 2022. It is submitted that the petitioner is in custody in connection with this case since 26.06.2022 and he has no criminal antecedent.

Mr. Harendra Prasad, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, the nature of the dispute and the fact that co-accused similarly situated is said to have been granted bail in Cr. Misc. No. 35427 of 2022, this Court directs that the petitioner above



named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 108 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

arvind/-

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

