

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14563 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- JANDAHA District- Vaishali

1. Vikash Shah @ Vikash Kumar S/O Pramod Shah R/O Village- Mukundpur, Bhath, P.S- Jandaha, District- Vaishali
2. Arjun choudhary S/O Late Omkar Choudhary R/O Village- Khopi Bishanpur, P.S- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar, Advocate
For the Informant	:	Mr. Praveen Kumar Chaubey, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since 12.01.2023 in connection with Jandaha P.S. Case No. 15 of 2023, F.I.R. dated 11.01.2023 for the offences punishable under Sections 420, 120(B) of the Indian Penal Code and Section 63, 65 of the Copyright Act.

Allegation against the petitioners are of committing fraud in selling the salt of same brand.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case. He further submits that petitioner no.1 is the shop keeper and petitioner no.2 is the father of the shop keeper and both have brought/purchased the DANDI SALT from local stockiest/traders Damini Agarbati Udyog Hajipur on 22.12.2022 and the petitioners have no concern at all with the allegation as alleged in the F.I.R. and petitioners are not aware that who have registration of Dandi Salt under the Copyright Act. He further submits that the police after investigation submitted the charge sheet against these petitioners and the petitioners are in judicial custody since 12.01.2023.

The learned counsel appearing on behalf of the informant and learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Ms. Swati Suman, Judicial Magistrate 1st Vaishali at Hajipur in connection with Jandaha P.S. Case No.15 of 2023, subject to the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every



date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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