

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19062 of 2023

Arising Out of PS. Case No.-403 Year-2022 Thana- RIVILGANJ District- Saran

Ashok Ram Son of Late Moni Ram @ Late Budhan Ram Resident of Village
- Godna More, P.S. - Revelganj, Distt. - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Advocate.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 15-06-2023 Heard Mr. Brij Kishor Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Vinod Shanker

Modi, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Revelganj P.S. Case No. 403 of 2022 registered for the
offence punishable under Sections 63 and 65 of the Copy Right
Act.

3. Prosecution story, in brief, is that in course of raid,
allegedly fake packets of Tata Tea Premium was recovered from
the general store of the petitioner. F.I.R. was lodged by the
employee of the Tata Consumer Product Limited.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner was storing genuine
products of Tata Consumer Product Limited. The petitioner has
been dragged in a false case without ascertaining the fact that as
to whether petitioner has violated the Copy Right Act. He



further submits that the petitioner is 61% physically handicapped and has no criminal antecedent. It is further submitted that if at all the products are duplicate, then the wholesalers / C.N.F. agent is responsible for supplying the same to the shop of the petitioner for its sale. Petitioner is not involved in case of any duplicacy of the Tata tea which is produced by the Company. On these grounds, the petitioner seeks to be released on anticipatory bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra, Saran in connection with Revelganj P.S. Case No. 403 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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