

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32251 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- JAYNAGAR District- Madhubani

1. DINESH KUMAR SON OF JAGDEV MAHTO Resident of village- Rajhat Patrak Gali, Jaynagar Ward No. 2, P.S. Jaynagar, District- Madhubani
2. RAKESH KUMAR NAYAK @ RAKESH KUMAR SON OF PRADEEP NAYAK Resident of Mohalla- Ward No.2, Jaynagar P.S. Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

1. The petitioners are apprehending their arrest in connection with G.R. No. 2048 of 2022 arising out of Sharghat P.S. Case No. 461 of 2022 registered for the offences punishable under Sections 420/34 of the Indian Penal Code and under Section 63, 65 of Copy Right Act.

2. As per prosecution case, there is allegation against the petitioners that duplicate spare parts of motorcycle of T.V.S. Company have been recovered from their shops.



3. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the F.I.R. and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. Nothing has been recovered from the possession of the petitioners. He further submits that no such offences have been made out against the petitioners as the police extorted the signature of the petitioners on plain paper under threat and thereafter converted the same paper into seizure list.

4. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with G.R. No. 2048 of 2022 arising out of Sharghat P.S. Case No. 461 of 2022, subject



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

(Alok Kumar Pandey, J)

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