

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34058 of 2023

Arising Out of PS. Case No.-272 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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VIVEK GUPTA @ VIVEKANAND GUPTA Son of Chandra Shekhar Ram
Resident of Koldiha, P.S. - Town, Distt. - Giridih (Jharkhand) owner of S.K.
Enterprises, Tilkamanjhi, Jawaripurl, Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Kotwali (Tilkamanjhi) P.S. Case No. 272 of 2023 for the offence punishable under Sections 420, 465, 486, of the I.P.C. and Section 63, 65, of Copy Right Act, 1956, lodged on 17.03.2023 by the informant Ranjeet Kumar.

As per the prosecution story, the officials of the Kent R.O. found that the petitioner is using the duplicate parts of its company . Accordingly, complained the police. Thereafter, the shop was raided. The petitioner managed to escape and number of duplicate parts of Kent R.O were recovered/seized. Accordingly, the FIR.

Learned counsel for the petitioner submits that



petitioner is in the business of Eureka Forbes Pvt. Ltd. and on the day of raid was away from the city and did not know whether the staff was doing something illegal in the shop. He further submits that without accepting the allegation, the petitioner undertakes to pay Rs. 25,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials at the time of execution of the bail bond.

Taking into account the aforesaid facts and the undertaking given by him, as stated above, this Court is inclined to extend him the privilege of anticipatory bail.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M. Bhagalpur, in connection with Kotwali (Tilkamanjhi) Nagar P.S. Case No. 272 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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