

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38700 of 2023

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

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Anil Kumar Singh Son of Dindayal Singh Resident of Village Basantpur
Kakrahta, PS- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Navin Kumar, Advocate

For the Opposite Party/s : Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Jandaha P.S. Case No. 15 of 2023, registered on 11.01.2023 for the offences under Sections 420 and 120(B) of the Indian Penal Code and Section 63 and 65 of the Copyright Act, 1957.

3. As per prosecution case, the co-accused persons claiming themselves to be the Director of one Dandi Salt Pvt. Ltd. entered into agreement with co-accused Sanjay Kumar Sah who in turn appointed the petitioner as manager for selling the said salt of their company. The allegation against the petitioner is that of infringing the copyright of the company of the informant, namely, Indo Brine Industries Ltd. With the abetment



of the petitioner, the duplicate salt infringing the copyright of the company of the informant was being sold in Vaishali district.

4. Learned counsel for the petitioner submits that submits that petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the duplicate or the original salt as he is not involved in selling either of them. The allegations against the petitioner is that he is the manager of one Sanjay Kumar Sah who had entered into an agreement with other co-accused persons, namely, Ram Nivas Gupta and Niraj Kumar Agrawal whose company infringed the copyright of the company of the informant. The petitioner is merely a staff in a general store run by co-accused Sanjay Sah and he is not responsible in any manner for selling duplicate salt. Moreover, petitioner has no concern with infringement of copyright with which he is barely aware.

5. Learned APP opposes the prayer for anticipatory bail submitting that the petitioner has been doing business of selling deceptive salt in association with other co-accused persons.

6. Having regard to the submissions made on behalf of the parties and considering the facts and circumstances of the case and also considering the remoteness of allegation against



the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Vaishali at Hajipur/ court concerned in connection with Jandaha P.S. Case No. 15 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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