

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59039 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- CHACKMEHSI District- Samastipur

Arun Kumar @ Arun Kumar Sah son of Satyanarayan Sah R/o- SAidpur
Ward MP-13, Ps- Chakmehsi dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajesh Kumar, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 419, 420, 467, 468/ 34 of the I.P.C. read with Section 63 & 65 of the Copyright Act, 1957.

3. As per the prosecution case, the allegation made in the F.I.R. that the petitioner has involved in selling duplicate salt of TATA Company. Upon raid, 180 packets of duplicate salt each of weight 1 kg has been recovered. At the time of raid, the petitioner and others fled away from the spot.

4. Learned counsel for the petitioner submits that the antecedent of the petitioner is clean. Counsel also submits that in violation of Section 63 & 65 of the Copyright Act, 1957 [14

of 1957] the punishment is six months to three years.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that it is not the case of Copy Right Act alone rather Section 419, 420, 467, 468/ 34 of the I.P.C. has also been added. Counsel further submits that selling duplicate food items is basically heinous one and it may not be taken care of sympathetically.

6. In the present facts and circumstances and the submissions made above, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Chakmehsi P.S. Case No. 120 of 2023, dated 08.06.2023 to the satisfaction of learned Chief Judicial Magistrate, Samastipur.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

8. However, the learned Court below shall consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks’.

9. The present order shall not cause any prejudice to the petitioner.

(Dr. Anshuman, J.)

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