

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60094 of 2023

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

KAPAL KUMAR S/O FUDENI RAY @ PUDINI ROY R/O VILLAGE-
SAIDPUR WARD NO. 14, PS. CHAKMEHASSI, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with
Chakmehsi P.S. Case No.120/2023, registered for the offence
punishable u/s 419, 420, 467, 468/34 of the IPC and 63, 65
Copy Right Act, 1957.

3. As per the prosecution case, the petitioner along with
other co-accused persons were indulged in packaging and
selling of duplicate Tata Salt. It is alleged that 260 packets of
duplicate Tata Salt having 1kg each have been recovered from
grocery shop of petitioner. He is said to have indulged in
packaging and selling of duplicate Tata salt.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner had no knowledge that packets of Tata salt were fake. Petitioner is not the manufacturer of Tata salt and has not prepared any packet. He has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

