

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68457 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- KATORIYA District- Banka

Sonu Gupta @ Sonu Kumar Gupta S/O Shree Shankar Gupta R/O Village-
Suiya Road, Katoria, P.S- Banka, Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Katoria P.S. Case No. 151 of 2023 registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and Sections 63 and 65 of the Copyright Act. He has got one criminal antecedent in which he is on bail.

3. As per the prosecution story, the informant who is Field Officer of R.K. and Associates Company got secret information that this petitioner is indulged in selling duplicate fans and thus is damaging the image of company. On such information, the informant along with police officials conducted raid at the shop of the petitioner. During raid, ten duplicate



Roxy pedestal fans were recovered from the petitioner's shop.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the allegations against the petitioner are general and omnibus in nature. It is further submitted that the petitioner is not the manufacturer of fans or any other electronic items rather is only a retailer of electronic goods.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case and the kind of allegations and the fact that the petitioner has got one criminal antecedent in which he is on bail, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Katoria P.S. Case No. 151 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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