

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73975 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

MANOJ GUPTA@MANOJ KUMAR SON OF BIRJU SAW @ VIKASH
GUPTA RESIDENT OF VILLAGE- NICHALA ROAD, SARYA,
MAKHDUMPUR BAZAR, PS- MAKHDUMPUR, DIST- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2023 Heard Mr. Navin Kumar learned counsel for the
petitioner and Mr. Dinesh Singh, learned APP for the State.

2. The petitioner is apprehending his arrest
connection with Makhdumpur P.S. Case No. 33 of 2023, F.I.R.
dated 16.01.2023 registered for the offences punishable under
Sections 420/120B of the Indian Penal Code and Sections 63
and 65 of Copy Right Act, 1957.

3. Allegation against the petitioner is of selling of
duplicate Dandi salt in the market.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that as per
allegation in the F.I.R. the petitioner was found for selling of



duplicate Dandi salt which was found that the same is duplicate. Learned counsel for the petitioner submits that the petitioner has no concern at all with the alleged occurrence and he has purchased the same from the dealer of Dandi salt and he has not aware that whether the salt which he sold is the duplicate or the original. He further submits that co-accused persons namely Anil Kumar Singh and Kapildeo Sharma @ Master Saheb have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 03.10.2023 passed in Cr. Misc. No. 58951 of 2023.

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

6. Considering the aforesaid facts that the petitioner having clean antecedent and he has no concern at all with the manufacturing of the duplicate Dandi salt, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Jehanabad in connection with Makhdumpur P.S. Case No. 33 of 2023, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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