

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30065 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- KALYANPUR District- Samastipur

Raman Kumar @ Raman Kumar Singh Son Of Sudhansu Shekhar Singh @
Sudhanshu Shekhar Prasad Kunwar Resident Of Village- Fulhara, P.S.-
Kalyanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh, Adv.
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 21-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Kalyanpur PS Case No.363 of 2023 dated 28-12-2023, instituted under Sections 486,487,420, 272, 273, 467, 468, 120B of the Indian Penal Code and Sections 51,63, 64, 65 of Copy Right Act and Sections 103 and 104 of the Trade Mark Act, 1999.

3. The prosecution case, in short, is that on the basis of secret information informant, conducted raid in the 'Byahut Traders Company' and seized salt of different companies and also found blank packet which matches with the colour, design and logo of Tata Salt Company and prepared seizure list. It is further alleged that informant also conducted raid in the shop of petitioner and recovered six bags of Tik- Tok salt and prepared seizure list.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the owner of Aditya Kirana Shop situated at Kalyanpur Chowk, P.S. Kalyanpur, P.S.-Kalyanpur, Dist. Samastipur. As per seizure list



enclosed with FIR, total six gunny bags loaded with spurious and manipulated, which look like Tik Tok salt (25 kg each), have been recovered from the shop of the petitioner. The petitioner runs only a small grocery shop, namely, Aditya Kirana shop. He is not involved in the alleged occurrence. On bare perusal of the FIR and seizure list, it would appear that different companies of salt and wrappers have been recovered from the Byahut Traders Company of co-accused, namely Ashwani Kumar @ Sonu Ji, which does not belong to the petitioner. The petitioner has no knowledge about logo or design of Tata salt and Tik Tok salt. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Samastipur, in Kalyanpur PS Case No.363 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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