

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61603 of 2024

Arising Out of PS. Case No.-648 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Chanchal Kumar Son of Madan Prasad R/O- Abgil, P.S.- Korma, Dist.-
Sheikhpura, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2024 Heard Mr. Vinay Kumar Mishra, learned counsel for
the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for the
State.

2. The petitioner apprehends his arrest in connection
with Sheikhpura P.S. Case No. 648 of 2022 registered for the
offences punishable under Section 420 of the Indian Penal Code
and Section 63 and 65 of the Copyright Act.

3. Earlier by order dated 29.03.2023 passed in Cr.
Misc. No. 3330 of 2023, the prayer for anticipatory bail of the
petitioner was dismissed as withdrawn with a liberty to the
petitioner to surrender before the learned Court below and seeks
regular bail, but the petitioner has not surrendered before the
learned Court below. Now, he has renewed his prayer for
anticipatory bail.



4. As per the prosecution case, the informant works as a Field Officer in M/s Panasonic Life Solution India Ltd. (Anchor) and M/s. Havells India Limited. He alleged in his written report that the owners of the three shops sell fake wires in the name of the aforesaid company. Police raided the said shops and recovered the huge quantity of fake wires from all the three shops.

5. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence. He submits that the petitioner has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that the petitioner is the proprietor of New Devi Electric & Electronics Shop situated at Abgil (Chandi) and never sold the Anchor wire and Havells wire in the said shop. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Per contra, learned APP for the State vehemently opposing the bail of the petitioner submitted that specific overt act has been attributed against the petitioner. Hence, he does not deserve privilege of anticipatory bail.

7. In such view of the matter and considering the



judgment of Hon’ble Apex Court in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in *2021 SCC online SC 176*, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not inclined to entertain his prayer once again.

8. Accordingly, this application is dismissed.

9. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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