

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65795 of 2024

Arising Out of PS. Case No.-461 Year-2024 Thana- ALAMGANJ District- Patna

Shubham Kumar Gupta S/o- Dilip Gupta Mohalla-Gulzarbagh Mandi, Station Road, P.S. Alamganj, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate with
Mr. Vijay Anand, Advocate
Mr. Roop Kishan Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-11-2024 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Alamganj P.S. Case No. 461 of 2024 dated 06.06.2024, instituted for the offence punishable under Sections 273, 420, 467, 468, 471, 482, 486, 487 of the Indian Penal Code & Section 63/65 of Copyright (Amendment) Act.

3. The prosecution case, in short, is that the petitioner and other accused persons had made and sold pirated edible oil in the name of branded companies. On demanding the papers of the same, the petitioner and his father, namely, Dilip Gupta, the owner of the ship, failed to produce the same. It is harmful for the human life and also loss of the revenue to the Government.



4. Mr. N. K. Agarwal, learned senior counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that nothing incriminating or pirated articles have been recovered from the shop or the house of the petitioner. The father of the petitioner is the owner of the said shop having valid registration and GST registration number. The petitioner is also helping hand of his advanced age father in his business. Learned counsel for the petitioner submits that the petitioner and his father used to do their business of brand and non-brand edible oil as wholesaler and retailer and also grocery items. It is alleged that the petitioner and his father did not produce any paper rather they produced tax invoices of two quarter which were received from concerned company. Without any expert report, the informant alleged that the petitioner sells pirated edible oil in the name of branded companies. Learned senior counsel for the petitioner further submits that the father of the petitioner has already granted anticipatory bail *vide* order dated 23.10.2024 passed by this Court in Criminal Miscellaneous No. 71733 of 2024. Lastly, it has been submitted that the petitioner is in custody since 07.06.2024 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the



petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let 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 A.C.J.M., Patna City in connection with Alamganj P.S. Case No. 461 of 2024.

(Khatim Reza, J)

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