

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79828 of 2024

Arising Out of PS. Case No.-399 Year-2024 Thana- KHAGARIA District- Khagaria

Ram Kumar Bajaj Son of Late Mahadeo Lal Bajaj Resident of Thana Chauk
Khagaria, P.S.- Khagaria District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. N.K. Agarwal, Sr. Adv

Mr. Arvind Kumar, Adv

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and Mr.
Sunil Kumar Pandey, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Khagaria P.S. Case No. 399 of 2024 instituted for the offence under Section 318(4) of the Bhartiya Nyaya Sanhita and Section 63 of the Copyright Act.

3. The case of the prosecution is that petitioner deals in the products of Usha on his shop. Spurious articles of Bosch company were found from his shop. The search was made by one authorised Inquiry Officer.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



case. From perusal of the seizure list, it is clear that it does not bear any signatures either of the petitioner or of his staffs. It is also not clear from the FIR that as to how the Inquiry Officer was authorised to make the search. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Khagaria P.S. Case No. 399 of 2024, he will be enlarged 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 C.J.M., Khagaria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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