

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81728 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- PARSABAZAR District- Patna

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Ajay Kumar Singh Son of Gopal Sharan Singh, R/O Village- Manglichak,
Suitha, P.S.- Parsa Bazar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2024 Heard Mr. Ajay Kumar Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Dinesh Singh, the

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection

with Parsa Bazar PS Case No. 312 of 2023 dated 05.07.2023,

registered for the offences punishable under Sections 419 and

420 read with Section 34 of the Indian Penal Code and under

Section 63 and 65 of Copyright Act.

3. The allegation against the petitioner is of selling

duplicates CPVC flow guard pipe in the name of New Suprim

Company and Ashirbad Company and in this way violated the

copyright of the company and committed the offence of

cheating. In course of search, some incriminating material has

also been recovered.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is registered with Goods & Service Tax Department, Government of Bihar vide registration no. 10BJBPS4729M1Z2, in the name of Ajay Tubewell and he is a regular tax payer. He further submits that the petitioner, in fact, purchased the goods/material from registered dealer, namely New Unique Agency and M.M. Agency and in support of his submission, he has also produced copy of the invoices. He next submits that the petitioner is neither a manufacturer nor a trader, therefore, the allegation levelled in the FIR does not make out any case against him. Moreover, he is a man of fair antecedent and undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel appearing on behalf of the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the materials, which are said to have been recovered from the godown/shop of the petitioner were purchased from New Unique Agency and M.M. Agency and there is invoices in support of the aforesaid submissions, coupled with his fair antecedent, let the petitioner above named be released on bail, in

the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt / production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge- XII, Patna in connection with **Parsa Bazar PS Case No. 312 of 2023**, subject to the conditions laid down in Section 438(2) of Cr.P.C. with the further condition that one of the bailors shall be the own / close family members of the petitioner.

(Harish Kumar, J)

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