

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36890 of 2024

Arising Out of PS. Case No.-545 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Asmit Kumar @ Sajan Kumar S/O Late Bansilal Prasad @ Bansi Mahto R/O
Mohalla- Ramjanaki Lane Mahelia Gali @ Jehali Gali, Sikanderpur, Near
Rani Sati Mandir, P.S- Town, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar & Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate Ms. Divya Bharti, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

8 10-01-2025 Learned Counsel for the petitioner and Learned
APP for the State are present. However, no one appears on
behalf of the Opposite Party No. 2, in spite of the fact that on
the previous occasion, Mr. Sunil Singh, learned Advocate
submits that he has received the vakalatnama on behalf of the
Opposite Party No. 2.

2. The petitioner seeks regular bail in connection
with Mithanpura P.S. Case No. 545 of 2023, lodged on
06.12.2023, under Section 420 of the Indian Penal Code and
under Section 63/65 of the Copyright Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons who are alleged to



have been discreetly duplicating the Tulsi Zarda product and the same was being sold by them.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner is unnecessarily being made accused in this case. Counsel submits that the criminal antecedent of the petitioner is clean and he has been made accused in this case under compelling circumstances, though, he admits that the allegation of Sections 63 and 65 of the Copyright Act is there.

5. Learned Counsel for the State opposes the prayer for bail and submits that under the Copyright Act, the minimum fine is Rs. 50,000/- (Fifty Thousand only) and the maximum fine is Rs. 2,50,000/- (Two Lakh Fifty Thousand only) in case of conviction.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each as well as on deposit of Rs. 50,000/- (Fifty Thousand only) before the Trial Court subject to result of the case, to the



satisfaction of J.M. Ist Class, Muzaffarpur (East), in connection with Mithanpura P.S. Case No. 545 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J)

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