

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70676 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Sanjay Kumar Sah @ Sanjay Kumar Son of Kripal Sah @ Ram Kripal Sah Resident of Mohalla -Tangoal Chowk, Hajipur, PS- Town Sadar, Police station- Hajipur, District- Vaishali, PIN-844101
2. Kapildev Sharma Son of Ganesh Sharma Resident of Village- Sherpur, P.O. and P.S.- Warisaliganj, Distt.- Nawada, Bihar-805130
3. Anil Kumar Singh Son of Dindayal Singh Resident of Village- Basantpur, Kakarhitta, P.O.-P.S.- Bidupur, Distt.- Vaishali, Hajipur, Bihar-844503

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithlesh Prashad Singh, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in case registered for the offences punishable under Sections 420, 120(B) of the Indian Penal Code and Section 63, 65 of the Copyright Act.

3. As per prosecution case, co-accused Ram Niwas Gupta and Niraj Agarwal entered into an agreement with petitioner No. 1 to sell the Dandi brand salt despite the fact that copyright and trademark of Dandi brand salt falls under the company of the informant due to which the company suffered loss of about Rs. 1 crore.



4. Learned counsel for the petitioners submits that petitioner No. 1 is agency holder and petitioner Nos. 2 & 3 are staff of petitioner No. 1. He further submits that the dispute is between two companies and petitioners are only sellers in one of the companies and have committed no offence neither violated any copyright act.

5. However, learned A.P.P. for the State vehemently opposed the bail application and submitted that so far as the dispute between the companies are concerned, the same was set to rest in the year 2011 itself and was decided in favour of the informant but without having valid licenses, the accused persons, in connivance of the said company, were selling forged items in the market. Petitioners have got three criminal antecedents of similar nature.

6. Considering the nature of accusation and criminal antecedents, prayer for anticipatory bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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