

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68208 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- NATIONAL HIGHWAY District-
Samastipur

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Sunil Kumar Sah @ Sunil Kumar Sahu S/o Late Rameshwar Sah R/o Village-
Sirsiya, Ward No. 12, P.S.- N.H. Bangra, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-10-2025 Heard Mr. Dilip Kumar Roy, learned counsel

appearing on behalf of the petitioner and Mr. Madan Kumar,

learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with N.H. Bangra P.S. Case No. 69 of 2025 registered under
Sections 63 and 65 of the Copy Right Act, 1957.

3. As per the allegation made in the FIR, a raid was
conducted by the police, after receiving a secret information that
the petitioner was engaged in sale and purchase of duplicate
products of *Dabur India Limited* and *Rekket Bandih India*
Limited and fake articles, in the brand and name of the original
manufactures, were recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner has been made accused for the alleged offence committed under Sections 63 and 65 of the Copy Right Act, 1957. The petitioner is a small grocery shop owner and he has purchased items from the local market situated in Tajpur, who has not provided any tax invoice in respect of the purchased items, which have been allegedly found to be fake items and being manufactured in the name of registered companies. He further informs that one co-accused namely Prem Sagar, against whom also similar allegation has been alleged in the FIR, has been granted pre-arrest bail by this Court *vide* order dated 26.09.2025 passed in Cr. Misc. No.69022 of 2025. The petitioner being owner of the shop has also been made accused in the present case. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. *Per contra*, learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that the petitioner is involved not only in sale of fake articles rather he is also responsible for putting loss to the State ex-exchequers, as the petitioner has not been able to furnish any GST bill or any invoice to support that his goods are genuine one, having



purchased from registered dealer. Learned counsel further informs that the seizure list, which is part of the FIR, reveals that in course of seizure of articles, while raid was conducted, tax invoice had not been provided to support the items. He further informs that sale and trade of illegal and spurious items is fatal to the humankind and on these grounds, the bail application of the petitioner is fit to be dismissed.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the FIR, in which specific allegation against the petitioner is that he is owner of the shop where the raid was conducted and fake articles were seized and the petitioner was engaged in sale and purchase of such fake articles, which were registered in the name of reputed companies and such articles are found to have caused bad effect on the body of the humankind, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. Accordingly, the present application stands dismissed.

(Purnendu Singh, J)

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