

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74586 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- Ratanpur District- Begusarai

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Mohan Lal Daruka Son of Mahavir Prasad Daruka Proprietor, Mahavir Syndicate, Resident of Ward No.- 22, Main Road Nauranga, Police Station - Ratanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita, Sections 63 & 65 of the Copyright Act and Sections 103 & 104 of the Trademarks Act.

3. This petitioner is alleged to be indulged in selling counterfeit pipes of 'MALHOTRA PIPES' in the name of 'SUPER MALHOTRA PIPES'.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner is a retail seller and running shop by the name of Mahavir Syndicate, a GST registered firm under GSTIN 10ACTPD2491D1ZZ. Petitioner is not a manufacturer and all



the goods in his shop are sold *via* tax invoices from third-party vendors/manufacturers. He further submits that ‘SUPER MALHOTRA’ and ‘MALHOTRA’ are visibly distinct and petitioner had no knowledge or intent to infringe any trademark or copyright. Petitioner is a Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Ratanpur P. S. Case No. 52 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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