

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67706 of 2023**

Arising Out of PS. Case No.-256 Year-2023 Thana- MOTIPUR District- Muzaffarpur

1. Rohini Saket, aged about 36 years, Male, S/O Ram Vilash Saket @ Rambilash Saket, R/O Mohalla- Mahuaar, P.S- Amiliya, Distt.- Sidhi, Madhya Pradesh.
2. Rahul Saket, aged about 22 years, Male, S/O Ramjiyawan, R/O Mohalla- Mahuaar, P.S- Amiliya, Distt.- Sidhi, Madhya Pradesh.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Yugal Kishore, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Motipur P.S. Case No. 256 of 2023 dated 15.08.2023 registered for the offence punishable under Sections 467, 468, 471, 414, 120(B) of the I.P.C. and Sections 30(a), 31, 32(i)(ii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, on being searched,



total 5927.580 litres of illicit foreign liquor was recovered from the Truck in question.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have clean antecedent, as stated in paragraph no. 3 of the bail petition. It is submitted that the petitioner no. 1 is the driver and the petitioner no. 2 is the cleaner of the Truck in question and they had no knowledge about the goods loaded in the Truck. It is further submitted that no stolen article has been recovered from the possession of the petitioners, hence, Sections 414, 467, 468 and 471 of the I.P.C. does not attract in the present case. They are in custody in this case since 16.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Muzaffarpur, in connection with Motipur P.S. Case No. 256 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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