

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.49842 of 2021**

Arising Out of PS. Case No.-305 Year-2021 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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CHAKRABARTI BHASKAR PARTAP @ C.B. PRATAP S/o Diwakar  
Mishra @ Diwakar Mishr R/o village- Bhardwaj Nagar, Hemra, Bari Eghu,  
P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH  
ORAL ORDER**

2      04-03-2022                      Heard the learned counsel for the petitioner and

Ms. Pronoti Singh, the learned APP for the State.

The petitioner seeks regular bail in connection  
with Muffasil PS case no. 305 of 2021 instituted for the offences  
punishable under Section 30(a) of Bihar Prohibition and Excise  
Act, 2018.

The allegation is regarding the police having  
conducted a raid in the orchard in question and from there,  
36 liters of illicit liquor and two motorcycles were seized as also  
the accused persons including the petitioner herein were  
arrested.

The learned counsel for the petitioner has  
submitted that the petitioner is innocent, has been falsely



implicated in the present case and is languishing in custody since 03.06.2021. The learned counsel for the petitioner has further submitted that the petitioner is an accused in two other cases but he is on bail in the said two cases. It is also submitted that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the motorcycle in question belongs to the petitioner nor the place of occurrence/ orchard belongs to the petitioner, as has been averred in paragraph no. 6 of the present petition.

*Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the illicit liquor has been recovered from the conscious possession of the petitioner nor from his house and moreover, the place from where the illicit liquor has been recovered, does not belong to the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs.



Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge II-cum-Special Judge, Excise Act, Begusarai in connection with Muffasil PS case no. 305 of 2021.

**(Mohit Kumar Shah, J)**

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