

IN THE COURT OF EXCLUSIVE SPECIAL EXCISE COURT No- 1st BHOJPUR, ARA

A.B.P. No. 680/2026

Arising out of Krishnagarh P.S. Case No. 32/2026

**Present:- Sandeep Kumar Mishra
Exclusive Special Excise Judge-1,
Bhojpur, Ara.**

Saroj Chaudhary

S/o Ram Bharosa Chaudhary,

Kamlesh Paswan

S/o Rameshwar Paswan, aged,

R/o village-Piparpati

P.S.-Krishnagarh, District-Bhojpur

.....Petitioner

Versus

State of Bihar

..... Opposite Party

Present:- Ld. Spl. P.P. Sri Rajesh Kumar for the State
Ld. Counsel Sri Kalika Sharan Ojha for the accused/petitioner

10.04.2026

1. The present anticipatory bail petition filed on behalf of the above petitioners/accused related with the case u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018.
2. Brief fact of the case is that the petitioners/accused is booked for the offence as u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 242.28 liters English wine.
3. The learned advocate for the petitioners has submitted that the petitioners have been falsely implicated and denied the allegation as alleged in the case and further submitted that nothing has been recovered from the conscious possession of the petitioners. He has also submitted that petitioners have no criminal antecedent. He has further submitted that neither anticipatory bail nor regular bail has been filed by the petitioners either in this Ld. Court or Hon'ble High Court, hence prayed to grant the bail to the petitioners.
4. The learned SPP has strongly opposed the anticipatory bail petition and has submitted that petitioners has committed the offence u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 242.28 liters English wine. He has also submitted that as per the provision of Section 76 of Bihar Prohibition and Excise Act 2018, the present anticipatory bail petition is not maintainable and is liable to be dismissed.
5. Having heard both the parties and perused the record. From perusal of the case record, it transpires that petitioners are named in the F.I.R. and total 242.28 liters English wine recovered from the spot. It also transpires that petitioners fled away from the spot. Investigation is going on against the petitioners.
6. Considering the above facts and circumstances and submissions made by the Ld. Spl. P.P. as well as recovery of English wine, I am not inclined to grant anticipatory bail to the petitioner, hence the present anticipatory bail petition is hereby **rejected**.

Dictated and Corrected

(Sandeep Kumar Mishra)
Exclusive Special Excise Court-1
Bhojpur, Ara,
Dated- 10.04.2026