

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

A.B.P. No. 708/2026

Arising out of Ara Town P.S. Case No. 175/2026

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

Ravi Kumar aged about 40 years,
S/o-Late Bharat Mahto
R/o village-Rauja Mohalla, P.S.-Ara Town,
District- Bhojhpur

.....Petitioner

Versus

State of Bihar

..... Opposite Party

Present:- Ld. Spl. P.P. Sri Rajesh Kumar for the State
Ld. Counsel Sri Amit Kumar Singh for the accused/petitioner

19.03.2026

1. The present anticipatory bail petition filed on behalf of the above petitioner/accused related with the case u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018.
2. Brief fact of the case is that the petitioner/accused is booked for the offence as u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 287.4 Liters Country made Mahuwa wine.
3. The learned advocate for the petitioner has submitted that the petitioner has been falsely implicated and denied the allegation as alleged in the case. He further submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents of Excise Act. He has also submitted that earlier neither anticipatory bail nor regular bail has been filed by the petitioner either in this Ld. Court or Hon'ble High Court, hence prayed to grant the bail to the petitioner.
4. The learned SPP has strongly opposed the anticipatory bail petition and submitted that petitioner has committed the offence u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 287.4 Liters Country made Mahuwa wine. He has also submitted that as per the provision of Section 76 of Bihar Prohibition and Excise Act, 2018, the present anticipatory bail application is not maintainable and is liable to be dismissed.
5. Having heard both the parties and perused the record. From perusal of case record it transpires that petitioner is named in the F.I.R. and total 287.4 liters Country made Mahuwa wine recovered from the spot and as per F.I.R., petitioner fled away from the spot. Investigation is going on against the petitioner.
6. Considering the above facts and circumstances and submissions made by the Ld. Spl. P.P. as well as recovery of huge quantity of country made Mahuwa 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- 19.03.2026