

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

A.B.P. No. 711/2026

Arising out of Dhobhan P.S. Case No. 21 of 2026

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

1. Ravi Yadav aged about 28 years S/o Late Jagan Yadav and

2. Vkash Yadav aged about 30 years S/o Tarkeshwar Yadav

Both R/o village- Salempur, P.S.- Dhobhan, Distric-Bhojpur

.....Petitioners

Versus

State of Bihar

..... Opposite Party

Present:-

Ld. Spl. P.P. Sri Rajesh Kumar for the State

Ld. Counsel Sri Mukesh Kumar Singh for the accused/petitioners

19.03.2026

1. The present anticipatory bail petition has been 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 were booked for the offence as u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 21.750 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. He further submitted that nothing has been recovered from the conscious possession of the petitioners. He further submitted that petitioner no. 1 has three criminal antecedents vde Ara Muffasl (Dhobhan) P.S.Case No. 173/2021, Ara Muffasl (Dhobhan) P.S.Case No. 219/2021 and Dhobhan P.S.Case No. 15/2025 and petitioner no. 2 has one criminal antecedent vide Jagdishpur P.S.Case No. 174/2025. He has also submitted that earlier 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 have committed the offence u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 21.750 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 case record, it transpires that petitioners are named in the F.I.R. and total 21.750 liters English wine recovered 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 petitioners, 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