

IN THE COURT OF EXCLUSIVE SPECIAL EXCISE COURT No- 2nd BHOJPUR, ARA

Present:- Ghanshyam Singh

Exclusive Special Excise Judge-2, Bhojpur, Ara.

A.B.P. No. 712/2026

Arising out of Sikarhatta P.S. Case No. 18/2026

Saroj Kumar

Versus

State

Present:-

Ld. Spl. P.P. Sri Jugeshwar Prasad for the State

Ld. Counsel Chaitanya Raj for the accused/petitioner

18.03.2026

1. The present anticipatory bail application is filed on behalf of the petitioner/accused namely **Saroj Kumar** aged about 25 years, son of Yogendra Singh in connection with Sikarhatta P.S. Case no. 18 of 2026 related with the case u/s- 30(a) Bihar Prohibition & Excise (Amendment) Act 2018.
2. Brief facts 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 total 15 liters country made liquor from the spot.
3. The learned advocate for the petitioner has submitted that the petitioner has falsely been implicated and denied the allegation as alleged in the case and nothing has been recovered from the possession of the petitioner. They have also submitted that earlier neither anticipatory bail nor regular bail has ever been filed on behalf of the petitioner prior to this petition either in this Ld. Court or Hon'ble High Court, hence he may be allowed anticipatory bail.
4. The learned Spl.P.P. has vehemently opposed the anticipatory bail application and has submitted that petitioner has committed the offence and u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of total 15 liters country made liquor from the spot. 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 a secret information was received that some persons were buying and selling liquor near Govardhan Pahad in Bharosi Tola of Village Sikarhatta. When police team reached there petitioner fled away left his plastic sack and during searching total 15 liters country made liquor recovered from the spot. Local Chaukidar has disclosed the petitioner's name. Petitioner is named in the F.I.R. 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 gravity of offence, I am not inclined to grant anticipatory bail to the petitioners, hence the present anticipatory bail petition is hereby **rejected**.

Dictated and Corrected
Sd/-

Exclusive Special Excise Court-2
Bhojpur, Ara