

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

A.B.P. No. 2024/2026

Arising out of Agiaon Garhani P.S. Case No. 78/2026

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

1. Pintoo Kumar @ Pintoo Singh aged about 38 years

S/o Late Shiv Dayal Singh

2. Pankaj Kumar aged about 20 years

S/o Rama Shankar Singh @ Bhuwar

Both R/o village- Azimnagar, P.S.-Garhani, District- BhojpurPetitioner

Versus

State of Bihar

..... Opposite Party

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

27.07.2026

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 are booked for the offence as u/s 30(a) Bihar Prohibition & Excise (Amendment) Act 2018 for recovery of 40 liters Country made wine.

3. The learned advocate for the petitioners has submitted that the petitioners has 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 40 liters Country made 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 40 liters Country made wine recovered from the spot. As per FIR petitioners fled away from the spot but identified by the local chowkidar. 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 Country made 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- 27.07.2026