

In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,
Gopalganj
A.B.P No. 128 of 2026

In the matter of :-

Golu Shahi @ Anjesh Kumar Shahi, aged about 31 years, S/o- Ashok Shahi, R/o- village Balathari, P.S- Kuchaikote, District- Gopalganj.

.....**Petitioner**

Vs

The State of Bihar

..... **O. P.**

Counsel for the petitioner :- : Sri Abhay Kumar Singh, the learned advocate

Counsel for the State :- : Sri Ravi Bhushan Srivastava, the learned Special P.P.

Present- Sri Shailendra Kumar Sharma

P.O., Exclusive Special Excise Court-II, Gopalganj

Serial No.	Date of Order of Proceeding	Order with Signature of the Court	Office action taken with date
1	2	3	4
	<u>17.03.2026</u>	1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Kuchaikote P.S Case No. 243 of 2025, U/s- 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022. 2. Learned Counsel for the petitioner submits that the petitioner is quite innocent and he has committed no any offence. He further submits that the prosecution story is false and fabricated and nothing has been recovered from the conscious possession of the petitioner. He further submits that one case i.e. Kuchaikote P.S. case no. 162 of 2023 is pending against the petitioner, so he may be enlarged on anticipatory bail. 3. On the other hand, learned Special P.P. appearing on behalf of the state opposed the anticipatory bail petition of the petitioner. 4. The case of the prosecution in brief is that the informant Nilu Bharti, P.S.I., Kuchaikote P.S., along with other police party reached on paved road near canal pull at village Paharpur while night patrolling on 15.06.2025 at 09:05 O'clock. In the meantime,	

In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,
Gopalganj
A.B.P No. 128 of 2026

<u>Contd.</u> <u>17.03.2026</u>	three persons on a XUV car seen which was signaled to stop but the driver of the vehicle stop the vehicle and all of them managed to flee away by jumping out from the vehicle. The fled person was identified by the chawkidar as the petitioner Golu Shahi and co-accused Rajan Sharma & Gudan Ray. Thereafter, during the course of search, a total 81.900 liter foreign liquor was recovered from the vehicle bearing registration number BR28G2636. Thereafter, a duly seizure list was prepared in presence of witnesses. Hence the FIR. 5. Heard the learned counsel for the parties and perused the case record. From perusal of case record, it appears that the petitioner is the named accused person in FIR and he managed to flee away from the spot. It further appears that the name of the petitioner was disclosed by chawkidar and total quantity 81.900 liter foreign liquor has been recovered from the vehicle. The informant has fully supported his case in his restatement recorded in para 05 of the case diary and witnesses have also supported the case of the prosecution in para 06 & 07 of the case diary. Moreover A.B.P. is not maintainable as per provision provided in the Excise Act. 6. In view of the above mentioned facts and circumstances of the case and in view of discussions made above, anticipatory bail petition of the petitioner is not maintainable U/s- 76(2) of Bihar prohibition of Excise Act 2018. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected. (Dictated) D.A.J. IV-cum Spl. Judge Excise-II Gopalganj	
--	--	--

In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,
Gopalganj
A.B.P No. 128 of 2026