

In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,
Gopalganj
A.B.P No. 206 of 2026

In the matter of :-

Golu Prasad, aged about 25 years, S/o- Laxman Prasad, R/o- village Semraw, P.S- Mirganj,
District- Gopalganj.

.....**Petitioner**

Vs

The State of Bihar

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

Counsel for the petitioner :- : Sri Priyanshi Raj, 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>12.03.2026</u>	1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Mirganj P.S Case No. 542 of 2025, U/s- 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018. 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 three cases i.e. (i). Mirganj P.S. case no. 458 of 2023, (ii). Mirganj P.S. case no. 546 of 2025 and (iii). Mirganj P.S. case no. 495 of 2024 are 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 Santosh Kumar, P.S.I, Mirganj P.S., got a secret information on 19.11.2025 that the petitioner along with co-accused have brought liquor near transformer on canal at village Kodara Hata. On the basis of secret information, informant along with other police party	

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	<u>Contd.</u> <u>12.03.2026</u>	reached the said place. Seeing the police party three persons managed to flee away and who were identified by the local chawkidar as the petitioner Golu Prasad and co-accused Anirudh Yadav & Atindra Yadav. Thereafter during the course of search, a total 63.00 liter country-made liquor was recovered from the bushes on the bank of the canal. 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 named accused in FIR and he managed to flee away from the spot. It further appears that the name of the petitioner was disclosed by the local chawkidar and total quantity 63.00 liter country-made liquor has been recovered from the spot. The petitioner has three criminal antecedents mentioned in para 03 of the anticipatory bail petition. 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	
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