

**In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,**  
**Gopalganj**  
**A.B.P No. 274 of 2026**

In the matter of :-

**Bharat Singh**, aged about 26 years, S/o- Vijay Singh, R/o- Narayanghadh, P.S- Narayanghadh,  
District- Ambala (Haryana).

.....**Petitioner**

Vs

**The State of Bihar**

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

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Counsel for the petitioner :- : Sri Dilip Kumar Prasad, 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

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Serial No.	Date of Order of Proceeding	Order with Signature of the Court	Office action taken with date
1	2	3	4
	<u>11.03.2026</u>	<p>1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Excise P.S Case No. 758 of 2025, U/s- 30(a) &amp; 32 of the Bihar Prohibition and Excise Amendment Act, 2018.</p> <p>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 the petitioner is the owner of the said vehicle but he has no concern with the liquor. Lastly, it has been submitted that the petitioner has three criminal antecedents, so he may be enlarged on anticipatory bail.</p> <p>3. On the other hand, learned Special P.P. appearing on behalf of the state opposed the anticipatory bail petition of the petitioner.</p> <p>4. The prosecution case in brief is that the informant Sunil Kumar, Excise Inspector, Excise P.S., along with other police was conducting vehicle checking on 12.11.2025 at Balthari Check Post. In the meantime, at about 21:25 O'clock a Mahindra Bolero Max Pic Up bearing registration number UP57BT-6876, Chassis no.</p>	

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<p><b><u>Contd.</u></b> <b><u>11.03.2026</u></b></p>	<p>MA1RV2TUKR6F31479 and Engine No. TUR4F29297 was stopped and scan by the hand scanner machine. During the scanning of the vehicle, seemed the shape of tetra pack. Thereafter, during the course of search, a total 719.00 liter country-made liquor was recovered from the vehicle. Accordingly, a seizure list was prepared in presence of witnesses in accordance with law. Hence the FIR</p> <p>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 registered owner of the vehicle mentioned in para 06 of the anticipatory bail petition and documents of the vehicle has also been filed by the petitioner. It further appears that huge quantity 719.00 liter country-made liquor has been recovered from the vehicle. Moreover A.B.P. is not maintainable as per provision provided in the Excise Act.</p> <p>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.</p> <p style="text-align: center;">(Dictated)</p> <p style="text-align: center;">D.A.J. IV-cum Spl. Judge Excise-II Gopalganj</p>	
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