

**In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,
Gopalganj
A.B.P No. 276 of 2026**

In the matter of :-

Anshu Singh, aged about 22 years, s/o- Late Subhash Singh, R/o- village Mathiya Hardo, P.S- Kuchaikote, District- Gopalganj.

.....**Petitioner**

Vs

The State of Bihar

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

Counsel for the petitioner :- : Sri Anup 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>11.03.2026</u>	<p>1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Vishambharpur P.S Case No. 126 of 2022, U/s- 30(a) 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. Lastly, it has been submitted that the petitioner has two criminal antecedents and he has no concern with the seized liquor, 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 Chhathu Ram, A.S.I., Vishambharpur P.S., along with other police was conducting vehicle checking on 03.08.2022 near Sichai Nahar pul at village Bharathiya. In the meantime, at about 14:35 O'clock two persons on two motorcycles were seen. Seeing the police party, they left the motorcycles and started running away, in which co-accused</p>	

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<p><u>Contd.</u> <u>11.03.2026</u></p>	<p>was caught but the petitioner managed to flee away. The fled person was identified by the Dafdar as the petitioner Anshu Singh. Thereafter, during the course of search, a total 29.00 liter country-made was recovered from the motorcycles. 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 named accused in FIR and he managed to flee away from the spot. The name of the petitioner has been disclosed by the Dafdar. It further appears that total quantity 29.00 liter country-made has been recovered from the spot. The informant has fully supported his case in his restatement recorded in para 03 of the case diary and other witnesses have also supported the case of the prosecution in para 06 07 & 08 of the case diary. Further, the petitioner has two 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.</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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