

In the Court of District & Addl. Sessions Judge-XIII
cum-Spl. Excise Court No.-I, Gopalganj
A.B.P. No. 313 of 2026

Bhola Yadav @ Bhola Chaudhary, Aged about 26 Years, S/o Shivji Yadav,
R/o village-Chhota Koirauli, P.S. Mirganj, District-Gopalganj.

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party.

Counsel for the Petitioner :- Sri Shesh Nath Rai, Advocate

Counsel for the State :- Sri Awadhesh Prasad Mani, Spl. P.P.

Present:- Deepak Singh Verma,
District and Additional Sessions Judge-XIII,
Gopalganj

Order

12.03.2026

1. Anticipatory bail petition has been filed on behalf of petitioner Bhola Yadav @ Bhola Chaudhary, who is apprehending his arrest in connection with Hathua P.S. Case No. 11 of 2026, U/s. 30(a) of Bihar Prohibition and Excise Amendment Act 2022.
2. Learned counsel for the accused-petitioner submits that the petitioner is quite innocent and he has committed no offence. He further submits that the petitioner has falsely been implicated in this case due to dirty village politics and nothing has been recovered from the possession of the petitioner. He further submits that the petitioner has no concern with the seized liquor and he was not present at the place of occurrence. He further submits that the petitioner bears clean past, so he may be enlarged on anticipatory bail.
3. On the other hand, learned Spl. P.P. appearing on behalf of the State opposed the anticipatory bail petition of the petitioner.
4. Heard the learned counsel for the parties and perused the case record. The allegation against the petitioner is that during patrolling

duty, the informant received a secret information that Bhola Yadav @ Bhola Chaudhary (the petitioner) is secretly selling the liquor in his house in village- Chhota Koirauli. On receiving the information, when the informant and other police party reached near the house of Bhola Yadav @ Bhola Chaudhary, and they saw that on seeing the police vehicle, one person fled away from there. It is alleged that the police has recovered total **4.0** liter country-made liquor from the roof of the house of Bhola Yadav @ Bhola Chaudhary (the petitioner) and the local villagers disclosed the name of the fled person as Bhola Yadav @ Bhola Chaudhary (the petitioner), so there is specific allegation against the petitioner under the provision of Bihar Prohibition and Excise Amendment Act 2022. It further appears that in para No. **05, & 06** of the case diary, witnesses have fully supported the factum of recovery of illicit liquor from the place of occurrence.

5. In view of the above mentioned facts and circumstances of the case and also considering that the investigation of this case is still at initial stage and also that anticipatory bail petition of the petitioner is not maintainable U/s. 76(2) of Bihar Prohibition and Excise Amendment Act 2018. Accordingly the prayer for anticipatory bail of the petitioner stands rejected. Although, the petitioner may surrender/appear before the court and pray for regular bail if so advised.

(Dictated)

(Deepak Singh Verma)
DAJ-XIII-cum-Spl. Judge
Excise-I, Gopalganj.