

In the Court of Exclusive Special Excise Court-II, Gopalganj
A.B.P No. 359 of 2026

In the matter of :-

Deepak Singh, age 19 years, s/o- Umesh Singh, r/o- village Sunderpati, P.S. – Gopalganj, District – Gopalganj.

.....**Petitioner**

Vs

The State of Bihar

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

Counsel for the petitioner :- : Sri Nikhil 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>26.03.2026</u>	<p>1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Kuchaikote P.S Case No. 267 of 2018, U/s- 30(a)(b)(c), 38, 4, (9) & 9(b) of the Bihar Prohibition and Excise Amendment Act 2016.</p> <p>2. Learned Counsel for the petitioner submits that the petitioner is quite innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner is clean past. Lastly, he submits that the petitioner is ready comply the order of the court, so he may be enlarged on anticipatory bail.</p> <p>3. On the other hand, the learned Spl. 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 Md. Khalil, P.S.I., Kuchaikote P.S., got a secret information of liquor transporting on 01.09.2018 in a Scorpio bearing registration number BR29PA-0489. On the basis of secret information, informant along with other police patry reached, NH-27 near Bhathwa Mord and started vehicle checking. In the meantime at 21:15 O'clock, the said vehicle was seen and seeing the police party the driver along with a person stop the vehicle and started running away. With the help of police party, the</p>	

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<p><u>Contd.</u> <u>26.03.2026</u></p>	<p>driver of the said vehicle was caught. Thereafter, during the course of search, a total 501.120 liter country-made liquor was recovered from the vehicle & and a simple Samsung mobile was also recovered on the front seat of the vehicle. On interrogation, the apprehended person told his name Pradeep Kumar and further he disclosed that the seized Samsung mobile which recovered on the front seat of the vehicle belongs to the petitioner Deepak Singh. Accordingly, a seizure list was prepared in presence of witnesses in accordance with law. Hence the F.I.R.</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 name accused in FIR and huge quantity 501.120 liter country-made liquor has been recovered from the vehicle. The name of the petitioner was disclosed by the apprehended co-accused. Moreover, anticipatory bail 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 2022. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.</p> <p style="text-align: center;">(Dictated)</p> <p style="text-align: center;">Exclusive Special Excise Judge-II, Gopalganj.</p>	
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