

**In the Court of District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II,**  
**Gopalganj**  
**A.B.P No. 483 of 2026**

In the matter of :-

**Surendra Dewedi**, aged about 50 years, S/o- Jagan Nath Dewedi, R/o- village Manapur, P.S- Kalayanpur, District- East Champaran.

.....**Petitioner**

**Vs**

**The State of Bihar**

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

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Counsel for the petitioner :- : Sri Yogaeshwar 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

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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>16.03.2026</u>	<p>1. Anticipatory bail petition filed on behalf of petitioner who is apprehending his arrest in connection with Excise P.S Case No. 124 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 has sold the seized motorcycle bearing registration number BR22AG-4509 to Rakesh Kumar on 15.01.2025 and one case is pending against the petitioner, 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 case of the prosecution in brief is that the informant Kush Kumar, A.S.I Excise, Excise P.S., along with other police party was conducting vehicle checking on 27.02.2025 at Balthari Check Post. In the meantime, at about 12:15 O'clock, a motorcycle bearing registration number BR22AG-4509 was stopped on suspicion and</p>	

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searched. During the course of search, a total 18.00 liter country-made and foreign liquor was recovered from the motorcycle. 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 the owner of the seized motorcycle and total 18.00 liter country-made and foreign liquor has been recovered from the motorcycle. Further, the petitioner has one 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