

In the Court of District & Addl. Sessions Judge-XIII
cum-Spl. Excise Court No.-I, Gopalganj
A.B.P. No. 1038 of 2026

Deepak Kumar Verma, Aged 25 Years, S/o Raju Verma @ Raju, R/o village-Sisva Digar, Post-Bedupar, P.S. Taraiya Sujana, District-Kushinagar, Uttar Pradesh.

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party.

Counsel for the Petitioner :- Sri Kamlesh Kumar, Advocate

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

Present:- Dhiraj Kumar Mishra,
District and Additional Sessions Judge-XIII,
Gopalganj

Order

19.06.2026

1. Anticipatory bail petition has been filed on behalf of petitioner **Deepak Kumar Verma**, who is apprehending his arrest in connection with Uchakgaon P.S. Case No. 348 of 2025, U/s. 30(a) of Bihar Prohibition and Excise Amendment Act 2022.
2. Learned counsel for the accused-petitioner submits that petitioner is quite innocent and he has committed no offence. He further submits that the petitioner is falsely implicated due to owner of the seized motorcycle bearing Reg. No. UP57V6566, Chassis No. MD63KE46E2H55346, Engine No. OE4HE26A9583 which is registered in the name of the petitioner, but he has already sold his so called motorcycle to Sagar Malik, S/o Nirmal Malik, R/o village-Bankata, Post-Semariya, P.S. Kateya, District-Gopalganj, on 12.06.2020 through a duly executed sale agreement earlier to the occurrence and the prosecution story is totally false, fabricated and concocted. He further submits that the petitioner has no concern with the seized liquor and he does not know about the said incident and he 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 routine checking, the police seized three motorcycles bearing Reg. No. UP57V6566, BR28V8919, & BR30T5430 and the police has recovered **total 113.800** liter country-made liquor from the aforesaid three motorcycles. It further appears that the petitioner himself claims to be the owner of the motorcycle bearing Reg. No. UP57V6566, and he also claims that he had sold his motorcycle bearing Reg. No. UP57V6566 to Sagar Malik, S/o Nirmal Malik, R/o village-Bankata, Post-Semariya, P.S. Kateya, District-Gopalganj, through the sale agreement on 12.06.2020, but he has failed to give any evidence in support of the same neither to the court nor to IO. Hence, the petitioner failed to give any satisfactorily explanation to rebut the presumption u/s. 32 of Bihar Prohibition and Excise Act arising against him. So there is specific allegation against the petitioner under the provision of Bihar Prohibition and Excise Amendment Act 2022.
5. In view of the above mentioned facts and circumstances of the case and also considering that 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 of Excise Act 2018. Accordingly the prayer for anticipatory bail of the petitioner stands rejected.

(Dictated)

(DHIRAJ KUMAR MISHRA)
DAJ-XIII-cum-Spl. Judge
Excise-I, Gopalganj.