

In the Court of District & Addl. Sessions Judge-XIII
cum-Spl. Excise Court No.-I, Gopalganj
A.B.P. No. 1120 of 2026

Deepak Sharma, Aged 57 Years, S/o Gharbharan Sharma, R/o village-Birmpatti,
P.S. Khampar, District-Deoria.

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party.

Counsel for the Petitioner :- Sri Rajeshwar Prasad, Advocate

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

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

Order

27.06.2026

1. Anticipatory bail petition has been filed on behalf of petitioner **Deepak Sharma**, who is apprehending his arrest in connection with Bhore P.S. Case No. 177 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 prosecution story is totally false, fabricated and concocted and no any incriminating article has been recovered from the conscious possession of the petitioner. He further submits that the petitioner was not involved in the alleged occurrence and he was not present at the place of occurrence and the above case has been filed only to harass and humiliate the petitioner. 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 and other police team apprehended one person with a car while another person managed in fleeing away from the spot. It is alleged

that the apprehended person disclosed his name as Ramprit Prajapati and he also disclosed the name of the fled person as Deepak Sharma (the petitioner). It is alleged that the police has recovered **total 126.48** liter foreign liquor has been recovered from Swift Dzire Car bearing Reg. No. UP56E0065, 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 & 07** 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.

(Dictated)

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