

In the Court of District & Addl. Sessions Judge-XIII
cum-Spl. Excise Court No.-I, Gopalganj
A.B.P. No. 1288 of 2026

Dewdat Kumar @ Dew Babu, Aged about 40 Years, S/o Shambhu Prasad Chaudhary, R/o village-Bariyarpur, P.S. Chhatauni, District-Motihari.

.....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

15.07.2026

1. Anticipatory bail petition has been filed on behalf of petitioner **Dewdat Kumar @ Dew Babu**, who is apprehending his arrest in connection with Barauli P.S. Case No. 153 of 2026, U/s. 30(a), 32, 47 of Bihar Prohibition and Excise Amendment Act 2018.
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 the petitioner has been falsely implicated in the instant case being the registered owner of Truck bearing Reg. No. BR06GC9584. He further submits that the petitioner was not involved in the alleged crime as 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 and other police party apprehended two persons with a truck bearing Reg. No. BR06GC9584 and they disclosed their names as Pintu Kumar Yadav and Sonu Kumar Sahni and thereafter during course of

search, total **916.560 liter** foreign liquor has been recovered from the secret compartment made in the cabin of the truck bearing Reg. No. BR06GC9584. On interrogation about the liquor, the apprehended persons have disclosed that the truck owner namely Devdatt Kumar @ Dev Babu (the petitioner) had ordered for liquor and they had loaded the liquor in Deoria and they were coming through the way of Siwan. Thus, there appears that there is specific allegation against the petitioner under the provision of Bihar Prohibition and Excise Amendment Act 2022 and the petitioner failed to give any satisfactorily explanation to rebut the presumption u/s. 32 of Bihar Prohibition and Excise Amendment Act 2018 arising against him. It further appears that the petitioner is named accused in the F.I.R. and investigation against the petitioner is at initial stage.

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.