

FORM-A

<u>IN THE COURT OF ADDITIONAL SESSIONS JUDGE CUM-EXCLUSIVE SPECIAL EXCISE JUDGE COURT NO-1, KATIHAR</u>	
Present- Sanjay Kumar - V Date of the Judgment:- 21.04.2026 Case No.:- G.R. 262/2022 C.I.S. No.:-82/2024 Amdabad. P.S. Case No.18/2022, Katihar.	
Informant	State through concerned A.S.I. of Amdabad P.S., Katihar.
Represented By	1. Md. Noor Alam Spl. P.P.
Accused	1. Md. Bablu, S/o- Md. Barati, R/o Vill- Bakarganj, P.S.- Amdabad, District- Katihar.
Represented By	Shri Nripendra Kumar, Advocate.

FORM-B

Date of Offence	17.01.2022
Date of Prosecution Report	N/A
Date of Charge-sheet	31.08.2022
Date of Framing of Charge	26.06.2024
Date of commencement of Evidence	18.09.2024
Date of which Judgment is reserved	16.04.2026
Date of Judgment	21.04.2026
Date of Sentencing Order, if any	N/A

ACCUSED DETAILS

Rank of the Accused	Name of Accused	Date of Arrest/Sur render	Date of release on Bail	Offences Charged with	Whether Acquitted of convicted	Sentence Imposed	Period of Detention Under gone during Trial for purpose of Section 428 Cr.P.C .
1.	Md. Bablu	17.01.2022	18.01.2022	U/s 30 (a) of the Excise Act	Acquitted	N/A	N/A

FORM-C

LIST OF PROSECUTION/DEFENCE/COURT WITNESS

A. Prosecution

Rank	Name	Nature of Evidence
1.	Nil	-

B. Defence Witness, if any:-

Rank	Name	Nature of Evidence
1.	Nil	-

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

No.	Exhibit Number	Description
1.	Nil	-

B. Defence Witness, if any:-

No.	Exhibit Number	Description
1.	Nil	-

C. Court Witness, if any:-

No.	Exhibit Number	Description
1	Nil	-

D. Material Object:-

No.	Material Object Number	Description
1	Nil	-

JUDGMENT

1. The above named accused person has been charged for the offence punishable U/s 30(a) of the Excise Act in the case instituted on self statement of concerned A.S.I. of Amdabad P.S. It is submitted that F.I.R was registered as Amdabad P.S. Case no- 18-2022 dated 17.01.2022 against accused person namely Md. Bablu.
2. As per the F.I.R., two beer bottles each containing 650 ml (total 1.3 liters) of illegal beer were recovered from a bag hanging on the handle of the motorcycle, which was being driven by the accused-person. Thus, he was arrested and seizure list was accordingly prepared. Hence, the F.I.R.
3. On the basis of Charge Sheet cognizance was taken by the then Ld. Exclusive Special Judge Excise Court No-01. vide order dated 09.01.2024 for the offence U/s 30(a) of the Excise Act.
4. On 26.06.2024 after hearing both the parties, charge has been framed and explained to the accused person in Hindi for the offence U/s 30(a) of the Excise Act to which he pleaded not guilty and claimed to be tried. The accused person was accordingly put to trial.
5. After closing prosecution evidence, statement u/s 313 Cr.P.C. of accused person has been recorded on 09.04.2026 in which he denied the charge leveled against him and claimed himself to be innocent.

6. During trial, no evidence has been adduced by the prosecution as already mentioned in FORM- C.
7. Now the point of determination before this court is, whether prosecution has been able to prove its case beyond all reasonable doubts or not ?

FINDINGS

8. After considering the arguments of both the parties and going through record, this court finds that the prosecution has failed to prove the charges against the accused person namely Md. Bablu.

ORDER

9. Accordingly above named accused namely **Md. Bablu is** hereby acquitted from the charge u/s 30(a) of the Excise Act. Judgment is pronounced in the open court on 21.04.2026. Bailors are also discharged from the liabilities of respective bail bonds.

Dictated and corrected by me.

Sd/-
(Sanjay Kumar – V)
Excl. Spl. Excise Judge-I
Katihar.

Sd/-
(Sanjay Kumar – V)
Excl. Spl. Excise Judge-I
Katihar.