

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:- 04.04.2026 Case No.:- G.R. 4393/2024 C.I.S. No.:-806/2024 Katihar Excise. P.S. Case No.444/2024, Katihar.	
Informant	State through S.I. Dandkhora, Katihar.
Represented By	1. Md. Noor Alam Spl. P.P.
Accused	1. Rahul Kumar, S/o- Late Tuntun Sah, R/o Vill- Rampur, Ward No-07, P.S.- Muffasil, District- Katihar.
Represented By	Shri V. Kumar, Advocate.

FORM-B

Date of Offence	18.08.2024
Date of Prosecution Report	N/A
Date of Charge-sheet	01.10.2024
Date of Framing of Charge	28.08.2025
Date of commencement of Evidence	02.12.2025
Date of which Judgment is reserved	19.03.2026
Date of Judgment	04.04.2026
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	Sente nce Impo sed	Period of Detention Undergone during Trial for purpose of Section 428 Cr.P.C.
1.	Rahul Kumar	18.08.2024	23.08.2024	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 S.I. of Katihar Excise P.S. It is submitted that F.I.R was registered as Katihar Excise P.S. Case no- 444-2024 dated 18.08.2024 against accused person namely Rahul Kumar.
2. As per F.I.R total 0.375 liters illegal foreign liquor was recovered from inside the dickey 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 12.12.2024 for the offence U/s 30(a) of the Excise Act.
4. On 28.08.2025 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 16.03.2026 in which he denied the charges 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 Rahul Kumar.

ORDER

9. Accordingly above named accused namely **Rahul Kumar** is hereby acquitted from the charge u/s 30(a) of the Excise Act. Judgment is pronounced in the open court on 04.04.2026. 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.

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