

IN THE COURT OF SPECIAL JUDGE EXCISE-I, SAMASTIPUR
(Arising out of Bangra P.S. Case No.-47/24, Registered u/s 30(a) of Bihar Prohibition and Excise Act & 279,337,338,307,353,427,467,468,471,414,34 of IPC.) In the matter of 482 of B.N.S.S

A.B.P – 1142/2026

1. **Asha Vimal Chandra Jha @ Asha Prasad**, W/o Gaurav Manthan
R/o Village-Mira Bhayandar Road, P.S. and District-Thane(Maharashtra)

Ld. Advocate for the Petitioner -----Sri. Gautam Bhardwaj Ld. Advocate

Versus

The State of Bihar.....**Opposite Party**

Ld. Advocate for the State -----Sri Devesh Kumar Ld. Spl. P.P.

Date	Order Sheet	Remarks
03.07.2026	1. The present Anticipatory Bail Application detailed above filed on behalf of accused Petitioner namely Asha Vimal Chandra Jha @ Asha Prasad which was pressed today by the learned advocate. Apprehending his arrest in connection with Bangra P.S. Case No. 47/24, Registered u/s 30(a) of Bihar Prohibition and Excise Act & 279,337,338,307,353,427,467,468,471,414, 34 of IPC. A copy of which has already been served upon the State. 2. On previous date case diary and antecedent report were called for which is on the record. 3. Briefly, the prosecution story in brief is that Informant Prity Kumari PSI of PS Bangra it is alleged that on 08.04.2024 at about 03:50 hrs. a secret information was received that a consignment of Illicit IMFL being carried by a Tata Safari bearing reg. no.UP16-D-8648 for suspects namely Loha Singh, Sita Ram, Krishna Prasad, Fula, Damodar ,Kanhaiya Deepak and Ramnarayan Kumar via Bachh Pul to Tajpur Chaksikandar, so to verify this information he along with police team raided the said place where police team tried to catch the suspects with said Tata Safari but they rammed the police vehicle and successfully fled away leaving behind the alledged Tata Safari there after alledged vehicle being searched from which a total of 279 litres of Illicit IMFL liquor was recovered which was seized by the police after preparing the seizure memo. As there was total prohibition in Bihar on consumption and use of liquor, the informant seized the recovered illicit liquor, prepared seizure memo, arrest memo then informant gave self-statement for lodging the FIR against these accused persons. 4. It has been submitted by Learned Advocate for the petitioners that no anticipatory or regular bail application on behalf of the petitioners filed or moved	

either in this Ld. Court or in the Hon'ble High Court except this one. Ld. Advocate has further stated that they are innocent and have been falsely implicated in this case and petitioner having no criminal antecedent and owner of alledged vehicle. The petitioner is ready to abide by the conditions hence, they may be enlarged on bail.

5. The Ld. Spl. P.P for the State has vehemently opposed the prayer of bail and submitted that there is specific bar of Section 482 of B.N.S.S. vide Section 76 (2) of the Bihar Prohibition and Excise Act, therefore, the present petition is not maintainable being barred.

6. Heard, both sides, perused the case record. The Perusal of the record shows that Informant Prity Kumari PSI of PS Bangra it is alleged that on 08.04.2024 at about 03:50 hrs. a secret information was received that a consignment of Illicit IMFL being carried by a Tata Safari bearing reg. no.UP16-D-8648 for suspects namely Loha Singh, Sita Ram, Krishna Prasad, Fula, Damodar ,Kanhaiya Deepak and Ramnarayan Kumar via Bachh Pul to Tajpur Chaksikandar, so to verify this information he along with police team raided the said place where police team tried to catch the suspects with said Tata Safari but they rammed the police vehicle and successfully fled away leaving behind the alledged Tata Safari there after alledged vehicle being searched from which a total of **279** litres of Illicit IMFL liquor was recovered which was seized by the police after preparing the seizure memo. As there was total prohibition in Bihar on consumption and use of liquor, the informant seized the recovered illicit liquor, prepared seizure memo, arrest memo then informant gave self-statement for lodging the FIR against these accused persons for offence under Section 30(a) of Bihar Prohibition and Excise Act & 279,337,338,307,353,427,467,468,471, 414,34 of IPC.

7. On the basis of the material on the record, case diary para no 5 and 60 a prima facie case is made out against the petitioner for offence under Section 30(a) of Bihar Prohibition and Excise Act & 279,337,338,307,353,427,467, 468,471,414, 34 of IPC so, keeping in view that the **petitioner is owner of alledged vehicle and quantity of liquor recovered**. Also the bar created under Section 76(2) of the said Act this Anticipatory Bail petition is not maintainable.

In the result the Anticipatory Bail petition is hereby **Rejected** and the same it stands disposed of accordingly. Record be consigned as per rules.

Dictated & Corrected
Spl. Judge Excise Court-I,
Samastipur

**P.O.- Sri Basant Kumar,
Exclusive Special Judge Excise-I, Samastipur.**

ABP No- 1142 of 2026

Bangra P.S. Case No.-47/2024

Asha Vimal Chandra Jha @ Asha Prasad Vs. The State of Bihar

Order dated- 03.07.2026

	03.07.2026	
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