

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72267 of 2025

Arising Out of PS. Case No.-523 Year-2022 Thana- BAISI District- Purnia

Vinay Sharma @ Binay Sharma S/o Biahri Lal Sharma R/o Village- College Colony, Rambagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Bhagat

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-10-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Baisi Police Station Case No. 523 of 2022, dated 29.12.2022, disclosing offences under Sections 272/273 of the Indian Penal Code and Section 30(a)/41/47 of the Bihar Prohibition and Excise Act.
3. The prosecution story, as per the First Information Report, is that on 29.12.2022 at about 7:20 PM, during vehicle checking, the police apprehended one person with a Pulsar motorcycle, bearing Reg. No. BR11-AW- 5657. On enquiry, he disclosed his name as Imtiyaz Alam. Upon search, 12.15 liters of foreign liquor was recovered from the said motorcycle.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case only because he happens to be the registered owner of the said motorcycle. He next submits that the motorcycle, from where illicit liquor has been recovered, was borrowed by Imtiyaz Alam, who was arrested on the spot and the petitioner had no knowledge about the illicit liquor being kept therein. He further submits that the arrested accused Imtiyaz Alam was an ex-employee of the petitioner, who used to work in his mobile shop and took the vehicle for attending marriage of his relative. The petitioner has got no criminal antecedent.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner has been made accused only because he happens to be the registered owner of the motorcycle, which was borrowed by arrested accused Imtiyaz Alam for attending marriage, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be



released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) each with two sureties of the like amount
each to the satisfaction of learned Special Judge (Excise
Court-I), Purnea, in connection with Baisi Police Station
Case No. 523 of 2022, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

