

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20726 of 2023**

Arising Out of PS. Case No.-68 Year-2018 Thana- SAHAJITPUR District- Saran

RAKESH BHATIA @ RAJESH BHATIYA SON OF K.G. BHATIYA  
RESIDENT OF FLAT NO. 1J - 16A, WARD NO. - 12, NH - 1,, DISTT. -  
FARIDABAD (HARAYANA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      15-05-2023                      Heard learned counsel for the petitioner and the  
State.

Petitioner apprehends arrest in a case registered for  
the offence punishable under Sections 30/30a of the Bihar  
Prohibition and Excise Act.

Prosecution case is that 1134 liters foreign liquor was  
recovered from the truck of which petitioner is the registered  
owner.

Learned counsel appearing for the petitioner, vide  
paragraph 12 of the bail petition, submits that the petitioner has  
already transferred the ownership of the said truck to one  
Aakash son of Rajbir singh, resident of Ward No.6 NU Mewat,  
Haryana 122107 by selling it on 23.2.2018. Petitioner claims



clean antecedent.

Considering the facts of the case, this pre-arrest bail petition is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

Before releasing the petitioner on bail, the Court below shall verify the submission of learned counsel for the petitioner that at the time of commission of the alleged offence, petitioner was not the owner of the said truck.

If the submission of learned counsel for the petitioner is found to be incorrect, prayer for bail of the petitioner shall be treated to be dismissed.

**(Prabhat Kumar Singh, J)**

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