

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74432 of 2025

Arising Out of PS. Case No.-364 Year-2025 Thana- MOTIHARI TOWN District- East
Champaran

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Rahul Kumar Gupta @ Rahul Gupta S/O Hari Kishore Gupta Resident of
Chhatauni Bazar, P.S- Chhatauni, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ansul, Sr. Advocate
		Mr. Ravi Prakash Dwivedi, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2025 1. Heard Mr. Ansul, learned Senior Counsel for the
petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 111(2)b,
316(2), 318(3), 308(5), 318(4), 336(3), 338 and 3(5) of the
BNS.

3. Learned Senior Counsel for the petitioner submits
that petitioner is a person with clean antecedent and the
informant alleges that Deva Gupta and Sugandh Kumar Gupta,
who are land Mafias of Motihari City, have formed a company
known as M/s Dewrock Infra Projects Private Limited and are
extorting money by illegally buying and selling land in the
district through their criminal influence. They used to execute
sale deeds in violation of the registration rules causing huge loss



to the government. It appears that the Assistant Registrar, Motihari is also involved in the act. Further, in this organized crime, Motihari City Businessman, namely, Krishna Prasad, Amit Kumar and Prashant Kumar Gupta have actively participated in the crime along with Deva Gupta, Preeti Kumari and Sugandh Kumar Gupta in whose name sell and purchase of land is being done, details of which are as follows:- (i) Sri Radhakrishna Jewellery and Fashion LLP whose Directors are Amit Kumar and Sumit Kumar (ii) RBR and Mavara Motors Private Limited whose Directors are Amit Kumar and Rahul Kumar. Further, Amit Kumar and Krishna Prasad used to manage illegal money earned through their business with Deva Gupta. It is next alleged that Harinarayan Gupta is the master mind of criminal activities of Deva Gupta, Manish Jaiswal looks after the work related to the government offices and the municipal corporation of Deva Gupta. Further, Anshu Pahalwan along with Mintu Singh, who are criminals of Delhi, provide support and shelter to Deva Gupta. Further, Rahul Singh @ Rahul Mukhiya a criminal involved in the murder cases manages contract of Deva Gupta. Further, Chandan Gupta, brother-in-law of Deva Gupta manages illegal money earned by Deva Gupta while Subodh Yadav also a criminal manages



extortion money of Deva Gupta. Further Chuman Patel and Raushan Jaiswal manage sale and purchase of land illegally made by Deva Gupta while Avneet Sah and Niraj Singh are also involved in illegal business of Deva Gupta.

4. Learned Senior Counsel appearing on behalf of the petitioner reiterates and submits that petitioner petitioner is a person with clean antecedent. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that two accused by the name of Rahul Kumar and Rahul Singh @ Rahul Mukhiya have been implicated in the instant case and their name finds mention at page 21 of the anticipatory bail application. It is submitted that Rahul Kumar is alleged to be the Director of RBR and Mavra Motors Private Limited while Rahul Singh @ Rahul Mukhiya is alleged to be a criminal involved in murder cases and manages the criminal activities of Deva Gupta. It is submitted that the name of the present petitioner is Rahul Kumar Gupta @ Rahul Gupta, Son of Hari Kishore Gupta. It is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no allegation is alleged against this petitioner but then his name at serial no. 18 figures in the accused column.

5. Learned A.P.P. for the State vehemently opposes



the prayer for anticipatory bail of the petitioner and submits that the said ground is not taken in the anticipatory bail application but then if what is being submitted by the learned Senior Counsel to be true in that event the police will investigate to arrive at the truth but then if privilege of anticipatory bail is granted to the petitioner at this stage, the petitioner may abscond on which the learned Senior Counsel for the petitioner submits that petitioner will not abscond, rather will cooperate in the investigating to prove his innocence.

6. Considering the submissions made by the learned Senior Counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Motihari Town P.S. Case No. 364 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, namely, Hari Kishore Gupta.

8. However, it is made clear that if the investigating



officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge-sheet is submitted connecting the petitioner with the offence in that event the present anticipatory bail order shall lose its effect.

10. Let a copy of this order be sent to the Superintendent of Police, East Champaran at Motihari for his perusal.

(Satyavrat Verma, J)

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