IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73884 of 2025

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

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Chandan Kumar @ Chandan Jaiswal @ Chandan Gupta S/o Surendra Prasad Resident of Gianbabu Chowk Gandhi Nagar, PS- Town, Dist. - 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. Sanjay Kumar 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 and has been falsely implicated in the instant case merely for the reason that he is brother-in-law of Deva Gupta. It is further submitted that no doubt, Deva Gupta has antecedent of twenty-eight cases but then merely because petitioner is the brother-in-law of Deva Gupta that in itself does not made him a criminal. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner, except that he manages illegal earning of Deva Gupta through his criminal misdeeds.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that no doubt at para 3 of the anticipatory bail application, it has been pleaded that petitioner is a person with clean antecedent but then the tenor of allegation as alleged in the FIR, amply

demonstrates that how Deva Gupta along with his associates have ransacked the city. It is further submitted that allegation is of committing organized crime. It is next submitted that if petitioner is innocent then he will be exonerated in the investigation, but then an investigation is required. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond and may also try to tamper with the evidence on which learned Senior Counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation 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, Surendra Prasad.

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 Polcie, East Champaran at Motihari for his perusal.

(Satyavrat Verma, J)

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