

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74431 of 2025

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

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Manish Kumar @ Manish Jaiswal S/o Rajeshwar Prasad Resident of
Chhatauni Badhai Tola, P.S.- Chhatuani, District- 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. Chandra Bhushan Prasad, 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 Mr. Chandra Bhusban Prasad, 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 has antecedent of two cases but then one case is
of the year 2004 and the another case came to be instituted
recently only with a view to implicate the petitioner in the
instant case. It is further submitted that 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 submits that from perusal of the allegation as alleged in the FIR, it would manifest that a general and omnibus allegation is alleged against the petitioner alleging that petitioner looks after the work related to the government offices and the municipal corporation of Deva Gupta. It is further submitted that the allegation does not even remotely suggest as to what kind of work of Deva Gupta is being looked after by the petitioner.

5. Mr. Chandra Bhushan Prasad, 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, as such, an investigation is required. It is next submitted that if petitioner is innocent he would be exonerated by the police in the investigation. 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, Rajeshwar 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 Police, East Champaran at Motihari for his perusal.

(Satyavrat Verma, J)

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