IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88296 of 2025

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

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Sugandh Kumar Gupta @ Sugandh Gupta @ Sugandh Kumar S/o Himachal Prasad R/O - Thakurbari, Ward no 11, Near Panchmandir, PS- Motihari Town, Dist- East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. The Economic Offences Unit, Patna Patna

... ... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Shyameshwar Dayal, APP
For EOU	:	Mr. Vishwanath Prasad Sinha, Sr. Advocate Mr. Vijay Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

6 19-06-2026

1. Heard learned counsel for the petitioner, learned APP for the State and the learned Senior counsel appearing on behalf of the EOU, Mr. Vishwanath Prasad Sinha.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 111(2)(b), 316(2), 318(3), 308(5), 336(3), 338, 318(4) and 3(5) of the BNS, 2023.

3. Learned counsel appearing on behalf of the petitioner submits that the informant alleges that Deva Gupta and petitioner, 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, further they used to execute sale deeds in violation of the registration rules causing huge loss to the government, it is next alleged that it appears that even the Assistant Registrar, Motihari is also involved in the occurrence, further, in this organized crime, Motihari City Businessmen, namely, Krishna Prasad, Amit Kumar and Prashant Kumar Gupta have actively participated in the crime along with Deva Gupta, Preeti Kumari and petitioner in whose name sale 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 use 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 wit Mintu Singh, who are criminals of Delhi, provide support and shelter to Deva Gupta, further Rahul Singh @ Rahul Mukhiya, a criminal involved in murder cases, manages contract of Deva Gupta, it is further alleged that 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 counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that as far as this petitioner is concerned, it is alleged that he was managing the work of Deva Gupta. It is further submitted that petitioner has antecedent of four cases. It is next submitted that Deva Gupta had moved this Court seeking quashing of the FIR by filing Criminal Miscellaneous No. 41259 of 2025 and by an order dated 30.06.2025, proceedings in connection with the aforesaid case against Deva Gupta and Priti Kumari was stayed by a learned Co-ordinate Bench. It is next submitted that Chuman Patel, Manish Kumar, Chandan Kumar, Raushan Raj and Rahul Kumar Gupta had moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 6204 of

2026, Criminal Miscellaneous No. 74431 of 2025, Criminal Miscellaneous No. 73884 of 2025, Criminal Miscellaneous No. 74430 of 2025 and Criminal Miscellaneous No. 74432 of 2025 and the same came to be allowed by this Court by orders dated 29.04.2026, 10.11.2025, 10.11.2025, 10.11.2025 and 10.11.2025 respectively.

5. Learned counsel appearing on behalf of the petitioner further submits that case of the petitioner if not akin is similar to the case of accused persons who have been granted the privilege of anticipatory bail, while petitioner is languishing in custody since 08.10.2025 and charge sheet has been submitted by the police after investigation.

6. At this stage, the learned Senior counsel, Sri Vishwanath Prasad Sinha, appearing on behalf of the EOU submits that the SHO-cum-Investigating Officer of the case in March had handed over the case to the EOU for investigation. It is further submitted that no doubt charge sheet has been submitted by the police after investigation, but since the case has been handed over to EOU, hence, EOU is also investigating the case. It is also submitted that if privilege of bail is granted, the petitioner may abscond or try to tamper with the evidence, on which the learned counsel appearing on behalf of the

petitioner submits that petitioner will not abscond rather will cooperate in the investigation with the EOU and shall not tamper with the evidence and shall be present on each and every date when the EOU calls the petitioner for investigating the case.

7. At this stage, the learned counsel appearing on behalf of the informant submits that some materials may transpire during the course of investigation by EOU connecting the petitioner and others with the offence of money laundering, on which the learned counsel appearing on behalf of the petitioner submits that, that is an aspect of investigation.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on 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 Town P.S. Case No. 364 of 2025.

9. One of the bailors of the petitioner shall be his sister namely Pammi Kumari.

10. However, it is made clear that in the event if the Investigating Officer of the EOU files an application before the

learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation with the EOU, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

11. It is further made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the framing of charge or after framing of charge is trying to delay the trial in any manner, in both the conditions, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

12. Let a copy of this order be sent to the EOU through the learned Trial Court.

13. **Accordingly, the instant regular bail application stands allowed.**

(Satyavrat Verma, J)

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