

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2419 of 2023

Applicant :- Rajendra Singh

Opposite Party :- Union Of India Directorate Of Enforcement Allahabad Sub Zonal

Counsel for Applicant :- Ajeet Kumar Singh, Pradeep Kumar Tripathi

Counsel for Opposite Party :- Rohit Tripathi

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Pradeep Kumar Tripathi, the learned counsel for the applicant as well as Rohit Tripathi, the learned counsel for Directorate of Enforcement and perused the records.

2. The instant application has been filed by the applicant seeking anticipatory bail in Complaint No.04/2018: Session Case No336 of 2023 ECIR No.ECIR/05/PMLA/VSZO/2011 under Section 3/4 PMLA Act, 2000.

3. Sri Rohit Tripathi, the learned counsel for Directorate of Enforcement has filed a counter affidavit and has raised a preliminary objection that in furtherance of a complaint, the applicant was summoned to face trial by means of the order dated 02.4.2018. The applicant had challenged the summoning order by filing an application under Section 482 Cr.P.C. No.24521 of 2018 by means of the order dated 23.07.2018.

4. The applicant has approached the Special Court by filing an application for anticipatory bail in the year 2023. The aforesaid conduct of the applicant indicates that he has not cooperated with the proceedings and, therefore, he is not entitled to be granted pre-arrest bail.

5. Having considered the aforesaid facts and circumstances of the case and keeping in view the aforesaid preliminary objection raised by learned counsel for the Directorate of Enforcement, this Court is of the

view that conduct of the applicant in approaching this Court seeking anticipatory bail after a period of 5 years since rejection of his application under Section 482 Cr.P.C. challenging validity of the summoning order, indicates that he has not cooperated with the proceedings.

6. In view of the aforesaid facts, the anticipatory bail application of the applicant is **rejected**. However, in case the applicant files any bail application, the same shall be considered and decided, without being influenced by rejection of this anticipatory bail application.

Order Date :- 31.10.2023
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