

Court No. - 16

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 13416 of 2023

Applicant :- Vikrant Tripathi

Opposite Party :- Directorate Of Enforcement

Counsel for Applicant :- Sachin Chaturvedi, Samrat Misra

Counsel for Opposite Party :- Kuldeep Srivastava

Hon'ble Subhash Vidyarthi, J.

1. Heard Sri Sachin Chaturvedi, the learned counsel for the applicant, Sri Kuldeep Srivastava, the learned counsel for the Directorate of Enforcement and perused the records.
2. The present bail application has been filed seeking bail in Case No.1002 of 2021 ECIR No.05/PMLA/LKZO/2018 under Section 3/4 PML Act Police Station Enforcement Directorate, Lucknow.
3. The aforesaid case has been registered on the basis of a complaint filed by the Enforcement Directorate stating that M/s J.K.V. Land Developers and Infrastructure Ltd. and its then Director Rajesh Kumar Singh had taken money from the investors and promised the investors to provide land on the investments but neither the land was given nor the money was refunded and several persons were duped by the company. Thereafter, the Directorate of Enforcement filed a supplementary complaint against the applicant inter alia stating that the applicant was involved in criminal conspiracy of impersonation and cheating to derive and obtain the properties involved in money laundering in collusion with name accused Rajesh Kumar Singh, through his company M/s J.K.V. Land Developers and Infrastructure Ltd. He was the authorized signatory in the bank account of M/s J.K.V. Land Developers and Infrastructure Ltd., into which the money obtained from the public was used to be deposited. The applicant actively connived with the accused Rajesh Kumar Singh in luring the public for making investments in the company.
4. The co-accused Rajesh Kumar Singh, who was named in the F.I.R. and who was the Managing Director of the company has

been granted bail in the present case by means of an order dated 28.02.2023, passed by this court in Criminal Misc. Bail Application No.12970 of 2022, although the court had granted bail to the aforesaid co-accused on the ground that he had completed more than half of the period of incarceration that could be inflicted in case of his conviction.

5. The applicant's involvement in twelve other cases has been disclosed in para 24 of the affidavit filed in support of the bail application, in all of which he has been granted bail; '

6. The learned counsel for the applicant has submitted that co-accused Deepak Shukla, has already been granted bail by means of an order dated 20.09.2023 passed by this Court in Criminal Misc. Bail Application No.11138 of 2023.

7. Learned counsel for the respondent-Directorate of Enforcement filed a counter affidavit opposing the bail application.

8. Shri Kuldeep Srivastava, counsel for respondent has submitted that from the averments made in the complaint, it appears that the applicant is guilty of commission of offence of money laundering. However, he could not dispute that the two co-accused persons including the directorate of company have already been granted bail.

9. Having considered the aforesaid facts and circumstances of the case and keeping in view the fact that the applicant was accused in the FIR lodged regarding the substantive offence but his name was not included in the complaint initially filed by the Directorate of Enforcement and he has been made an accused in supplementary complain; that the allegation against the applicant is having acted in connivance of the other co-accused persons and that two co-accused persons including the Directorate of Company have already been granted bail and the applicant is languishing in jail since 25.06.2019, I am of the view that the applicant is also entitle to be released on bail.

8. Accordingly, this bail application stands ***allowed***.

9. Let the applicant- **Vikrant Tripathi** be released on bail in Case No.1002 of 2021 ECIR No.05/PMLA/LKZO/2018 under Section 3/4 PML Act Police Station Enforcement Directorate, Lucknow on furnishing a personal bond and two sureties each

in the like amount to the satisfaction of magistrate/court concerned, subject to following conditions:-

- (i) the applicant shall not tamper with the prosecution evidence;
- (ii) the applicant shall not pressurize the prosecution witnesses;
- (iii) the applicant shall appear on each and every date fixed by the trial court.

Order Date :- 9.11.2023

Preeti.