

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28843 of 2023

Arising Out of PS. Case No.-1 Year-2015 Thana- E.C.I.R (GOVERNMENT OFFICIAL)
District- Patna

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1. Ranjeet Kumar Mandal Son Of Saudagar Mandal R/O Village- Daulatpur, P.S.- Jamui, District- Jamui (Bihar)
 2. Saudagar Mandal Son Of Doman Mandal R/O Village- Daulatpur, P.S.- Jamui, District- Jamui (Bihar)

... .. Petitioners

Versus

Union Of India Through Assistant Director, Directorate Of Enforcement (Pmla), Patna Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shiv Pratap, Advocate

For the Opposite Party/s : Mr.K.N. Singh, A.S.G.

Mr.Manoj Kumar, CGC

Mr.Ankit Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Complaint Case No. ECIR No. 01/PTZO/2015 dated 30.03.2015 registered for the offences punishable under Sections 45 r/w section 44 of the Prevention of Money Laundering Act (PMLA), 2002 for the offences under section 3 and 4 of the Prevention of Money Laundering Act. Petitioner no. 1 has three criminal antecedents and petitioner no. 2 has got no criminal antecedent as stated in paragraph '3' of the application.

3. The brief facts of the prosecution case is that an



FIR bearing No. 244/2014 dated 04.07.2014 under section 419, 420, 467, 468, 471 and 120(B) of the I.P.C. read with sections 66, 72 & 75 of the Information Technology Act, 2000 was lodged by Gandhi Maidan Police Station for criminal conspiracy, forgery with valuable security and for breach of confidentiality and privacy under the I.T. Act. Charge-sheet was filed u/s 419, 420, 467, 468, 471 and 120(B) of the IPC r/w section 55, 72 and 75 of the I.T. Act against the petitioners. It is further submitted that on the basis of the ECIR record, investigation under PMLA was initiated against the petitioners and it has been found by the Gandhi Maidan Police that petitioners have 36 ATM cards of various banks. It is further alleged that petitioners have acquired movable and immovable properties in their names as well as in the name of their family members.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that there is nothing on record to prove that the said transactions are proceeds of crime.

5. Learned counsel for the Union of India has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case, the materials available on the record showing the gravity



of the offences alleged against the petitioners, the recovery of 36 ATM Cards of various banks from the petitioners and the allegation that he used to receive various phone calls from a Pakistani national and on his instruction he used to withdraw money from various ATMs and the allegation that from the proceeds of crime the petitioners had acquired immovable property as well and now a charge-sheet has been filed against them, this Court is not inclined to grant privilege of pre-arrest bail to these petitioners.

7. Prayer for anticipatory bail of the petitioners is, thus, refused.

(Rajeev Ranjan Prasad, J)

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