

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1675 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Bhojpur

SANJAY PRATAP SINGH @ SANJAY SINGH Son of Late Jayshankar Singh R/o Village and P.O.- Allipur, P.S.- Ara Muffasil, District- Bhojpur at Ara.

... .. Petitioner/s

Versus

1. THE UNION OF INDIA THROUGH SECRETARY, MINISTRY OF ENFORCEMENT, GOVT. OF INDIA, NEW DELHI India
2. The Secretary, Ministry of Enforcement, Govt. of India, New Delhi. India.
3. The Director, Directorate of Enforcement, Patna Zonal Office, Chandpura Place, Bank Road, Patna. Patna.
4. The Assistant Director, Enforcement Directorate, Patna Zonal Office, Chandpura Place, Bank Road Patna.
5. The State of Bihar through the Director General of Police, Bihar, Patna. Bihar, Patna.
6. The Principal Secretary, Department of Home (Special), Bihar, Patna. Bihar, Patna.
7. Inspector General of Police, Economic Offence Wing, Bihar, Patna. Bihar, Patna.
8. Superintendent of Police, Bhojpur, Ara. Bhojpur, Ara.

... .. Respondent/s

with

CRIMINAL MISCELLANEOUS No. 29458 of 2023

Arising Out of PS. Case No.-3 Year-2013 Thana- E.C.I.R (GOVERNMENT OFFICIAL)
District- Patna

1. SANJAY PRATAP SINGH Son of Jay Shankar Singh Resident of village-Alipur, P.S.-Ara Muffasil, District-Bhojpur, Bihar
2. KIRAN DEVI Wife of Sanjay Pratap Singh Resident of village-Alipur, P.S.-Ara Muffasil, District-Bhojpur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India, through the Assistant Director, Directorate of Enforcement, Zonal Office, Patna Patna

... .. Opposite Party/s

Appearance :



(In Criminal Writ Jurisdiction Case No. 1675 of 2019)
For the Petitioner/s : Mr.Lalan Kumar
For the Respondent/s : Mr.Sheo Shankar Prasad
(In CRIMINAL MISCELLANEOUS No. 29458 of 2023)
For the Petitioner/s : Mr.Prabhat Ranjan
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 02-05-2023

Ref.:- Cr. W.J.C. 1675 of 2019

Learned counsel for the petitioners seeks permission to withdraw this application.

Accordingly, this application is dismissed as having become infructuous.

Ref.:- Cr. Misc. No. 29458 of 2023

Heard learned counsel for the petitioners, Smt. Shilpa Singh and Sri Prabhat Ranjan and Dr. K.N. Singh, Additional Solicitor General for the Enforcement Directorate assisted by Sri Manoj Kumar Singh and learned counsel for the State.

The petitioners have challenged the order dated 22.03.2023, passed by learned Sessions Judge/Special Judge (P.M.L.A.) Patna, in Complaint Case No. 1275 of 2020 corresponding to Special Trial No. (P.M.L.A) 09 of 2020 by which the application filed by the Special Public Prosecutor for issuance of non-bailable warrant has been allowed and N.B.W. has been issued against the petitioners on the ground that the



petitioners did not appear before the Court despite the issuance of dasti summons.

It has been submitted by the learned counsel for the petitioners that both the petitioners are ill and are getting treated at Medanta Hospital, Gurgaon and in support of the same, the learned counsel for the petitioners has produced voluminous documents.

In view of the aforesaid, the learned Senior Counsel for the Enforcement Directorate submitted that the Enforcement Directorate wants to secure the presence of the petitioners in the case and if, the petitioners co-operate and appear before the Special Judge, then the Enforcement Directorate will have no objection to the cancellation of the N.B.W. which has been issued by the learned Sessions Judge/Special Judge (P.M.L.A.) Patna.

In view of the submissions of both the parties and in the interest of justice it is directed that the order dated 22.03.2023 directing for issuance of N.B.W. for securing the presence of the petitioners is hereby quashed.

The petitioners are directed to appear before the learned Sessions Judge/Special Judge (P.M.L.A.) Patna within 15 days from today, failing which, the learned Sessions



Judge/Special Judge (P.M.L.A.) Patna is at liberty to issue fresh
N.B.W. against the petitioners.

With the aforesaid observations and directions, this
application is disposed of.

(Sandeep Kumar, J)

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