

09.08.2023
Serial no. 2
[G.S.D]

CRM (SB) 156 of 2023

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure arising out of ECIR No. KLZO-II/19/2022 dated 24.06.2022 under Section 3 and 4 of the Prevention of Money Laundering Act, 2002.

-And-

In the matter of : Sujay Krishna Bhadra

... .. Petitioner

Mr. Kishore Datta
Mr. Soumen Mohanty
Mr. Ayan Poddar
Mr. Piyush Kr. Ray
Mr. Agnish Basu
Ms. Riddhi Jain

... .. For the Petitioner

Mr. Phiroze Edulji
Mr. Samrat Goswami
Ms. Anamika Pandey

... ..*For the E.D.*

The bail application of Mr. Sujay Krishna Bhadra, at this stage, is not considered on merits of the case, as the Investigating Agency did not have the occasion to effectively interrogate him, while he was in custody.

Accordingly, the prayer for bail of Sujay Krishna Bhadra, is **Rejected**.

However, Mr. Phiroze Edulji, Learned Advocate for the Enforcement Directorate (hereinafter referred to as, E.D.), on instruction from the Investigating Officer of the case, has submitted that the Board, which was constituted by the E.D., unanimously has opined that immediate

surgery/operation is required and they have concurred with the opinion of the SSKM Hospital.

Mr. Edulji further submits that the Investigating Officer or, for that purpose, the E.D. has no objection, in case, such operation is carried out in any private hospital of his choice.

Accordingly, immediate steps be taken by the Jail Authority/SSKM Hospital/E.D. so that the petitioner/Sujay Krishna Bhadra, may be transferred to BM Birla Heart Research Centre, Kolkata, which is the private hospital of his choice.

So far as the security is concerned, the Jail Authority will definitely provide their security but the CISF personnel would be deployed to monitor the security of the accused, while he is in treatment at the private hospital named above.

The E.D. will carry on surprise check/visit regarding the availability of the accused at the hospital and will follow up regarding the treatment/operation, which would be conducted.

The Report, so submitted by Mr. Mithilesh Kumar Mishra, along with the opinion of the Board, be kept with the record.

With the aforesaid objections, CRM(SB) 156 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)