

Arising Out of PS. Case No.-8 Year-2023 Thana- E.C.I.R (GOVERNMENT OFFICIAL)
District- Patna

Versus

WITH
CRIMINAL MISCELLANEOUS No. 51358 of 2025

Arising Out of PS. Case No.-8 Year-2023 Thana- E.C.I.R (GOVERNMENT OFFICIAL)
District- Patna

Versus

- Opposite Party/s

For the E.D. : Mr. Tuhin Shankar, Advocate

As both these cases arise out of the same ED
(Directorate of Enforcement) case, vide case No.
ECIR/PTZO/08/2023, with consent of the parties, they have



been heard together for final disposal at this stage itself.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in a case registered for the offences punishable under Sections 3 and 4 of the Prevention of Money Laundering Act (hereinafter referred as PMLA), 2002.

4. The case of the prosecution is based upon a written information given by Shri S.K. Tyagi, Executive Director, Railway Board, New Delhi. The C.B.I. conducted a preliminary enquiry, bearing no. PE 03/18, regarding allegations of large-scale irregularity committed in the filing, processing and decisions at Railway Claims Tribunal (R.C.T), Patna. Such preliminary investigation disclosed that in between 2015-2017, some unknown public servants of Railway conspired with the claimants' advocates and their team and in pursuance of the said conspiracy, cheated the claimants as only a part of the decreed amount was given to the claimants while a major part thereof was siphoned off by the conspirators i.e., the accused persons.

5. As a consequence of the preliminary enquiry, CBI registered RC Case No. 002(A) of 2020 and RC Case No. 003(A) of 2020, under section 403/420/120 B of the Indian



Penal Code (hereinafter referred as I.P.C) and 7A of Prevention of Corruption Act on 30-01-2020 and after investigation, a charge-sheet/final report bearing No. 21/2022 dated 31-12-2022 was submitted by the C.B.I revealing that an amount of Rs. 29,84,707/- was cheated from 23 claimants by the accused persons.

6. On the basis of the two FIRs lodged by C.B.I (ACB), Patna, ECIR/PTZO/08/2023 was registered by the Enforcement Directorate on 23-01-2023 for an offence under sections 3 & 4 of Prevention of Money Laundering Act, 2002, against the accused persons with allegations of mass scale irregularity in the death claim cases at Railway Claims Tribunals (R.C.T), Patna.

7. Learned counsel Mr. Rashid Izhar appearing on behalf of the petitioner Parmanand Sinha, has submitted at the outset, that the thrust of the allegation is upon one Bidyanand Singh, an advocate, of siphoning off a part of the claim money and deposited in his bank account and the petitioner Parmanand Singh, who happens to be the full brother of Bidyanand Singh living in a joint family, was made an accused as some part of the money later got transferred in his account too, but the same was on account of some family affairs. It is pointed out that the



petitioner, who was arrested in the predicate offences in the two C.B.I Cases on 4-12-2023, was granted bail on 08-12-2023 and 15-12-2023 after remaining in custody for a total period of 11 days only, considering that the petitioner had co-operated during investigation, which subsequently came to a close.

8. Further submission is that no complaint against the petitioner has ever been received by any beneficiaries of the award of the claim and the petitioner was arrested without any summon or enquiry on 22-01-2025, when raid was conducted in the ancestral house of Bidyanand.

9. The learned counsel Mr. Nikhil Kumar Agrawal with regard to the petitioner, Vijay Kumar has submitted that the petitioner was not an advocate and at the relevant time, he was only a clerk/employee in the legal firm of Shri Bidyanand Singh (B.N. Singh). The learned counsel in support of his argument relies at para 7.3 (i) (@ pg.177) of the charge sheet wherein the ED has stated that the petitioner was an employee of Bidyanand Singh who assisted him in representing claimants. He further submitted that the petitioner has never participated in either filing of claim cases or opening fake accounts or manufacturing any false documents in order to obtain compensation amount on behalf of the claimants. Additionally, he submitted that the bank



account in which the amounts were received were all managed by accused Bidyanand Singh and the petitioner, being an employee, had no knowledge about the same.

10. Further, it has been submitted that the Hon'ble Supreme Court vide order dated 03/05/2024 passed in SLP (Crl) No. 12121/2023 (Vijay Kumar V. State of Bihar & Anr.) has categorically observed that there is no charge against the petitioner under the provisions of the Prevention of Corruption Act, 1988 (hereinafter referred to as PC Act), as he is a private individual and that the investigating agency seems to have given up the case as earlier made out under the PC Act. Further, all the amount that has been received by the petitioner is 'private money' and part of the fee as agreed by the claimants and in order to support this submission the petitioner has filed audited income tax return and has fully disclosed his income to the tax authorities. Further, he submitted that the C.B.I. has itself admitted that the amount received by the petitioner is professional fee but they have chosen to consider only a part of it as genuine receipt and the remaining amount has been considered to be arising out of cheating. Thus, the money cannot be considered to be proceeds of crime. It is further submitted that the ED is itself not sure of the exact amount which has been



transferred to the account of the petitioner and is basing its allegations on abject calculations and conjectures.

11. It has been jointly submitted that the allegations of non-cooperation during investigation is absolutely false and baseless, rather they have cooperated in the investigation and the allegation of giving evasive replies does not amount to non-cooperation. It has been argued that the present position of the case is that the prosecution complaint/charge-sheet has been submitted on 21-03-2025 before the special court, PMLA and cognizance has already been taken thereupon, as such the petitioners are not required even for any custodial interrogation. Moreover, there are as many as 27 witnesses to be examined on behalf of the prosecution and about 92 documents, running into 4408 pages which are proposed to be exhibited and the case is running at the stage of appearance itself, as such there is no chance of trial getting concluded in near future and the petitioners cannot be kept behind bars for an indefinite period.

12. It is further submitted on behalf of the petitioners that the case is based purely on documentary evidence and all the relevant documents are in the possession of the concerned authorities i.e. the C.B.I. or E.D., as such there is no chance of the petitioners tampering with any evidence. Further, the



petitioners undertake to participate in the trial and there is no flight risk. The petitioners have relied upon several judicial pronouncements rendered by the Hon'ble Supreme Court to contend that even in cases of PMLA, bail is the rule and jail is exception and keeping persons behind bars for unlimited period of time in hope of speedy completion of trial would deprive the petitioners of their fundamental rights guaranteed under Article-21 of the Constitution of India. The judicial pronouncements referred by the petitioners are being enumerated hereunder :

(i) **Prem Prakash v. Union of India** reported in **AIR OnLine 2024 SC 575** ;

(ii) **Manish Sisodia v. Directorate of Enforcement** reported in **AIR 2024 SC 4053** ;

(iii) **V. Senthil Balaji v. Directorate of Enforcement** reported in **AIR 2024 SC 4760**.

(iv) **Arvind Dham vs. Directorate of Enforcement** reported in **2026 SCC Online SC 30**.

13. It is, thus, submitted that in the facts and circumstances, protection of the personal liberty of the petitioners is imperative considering the fact that the petitioner, Parmanad Sinha is in custody since 23.01.2025, petitioner, Vijay Kumar is in judicial custody since 22.01.2025 and was



remanded into the custody of ED on 27.01.2025 with no substantial progress in the trial.

14. *Per contra*, Mr. Tuhin Shankar, learned counsel for the E.D. has responded by way of his counter affidavit that the present case pertains to mass scale irregularity/criminality in the death claim cases at the Railway Claims Tribunal, Patna (RCT) as in pursuance of a criminal conspiracy only a part of the decreed amount awarded to the claimants was received by them and a major share was siphoned off by the conspirators which includes the present petitioners as they teamed up with the claimants' Advocates, Kumari Rinki Sinha and Sri Bidyanand Singh. It was revealed during investigation that out of 2030 claims issued by Sri R.K. Mittal, the then Member (Judicial), RCT, Patna, approximately 960 claims have been dealt by the Advocates, Bidyananad Singh, Kumari Rinki Sinha and others, wherein approximately Rs.50 crores of compensation was awarded to the claimants and later, substantial part of the same was fraudulently siphoned off by these Advocates, transferring the same to the bank accounts of their family members and relatives without the knowledge of the claimants and, upon perusal of the bank account statements of the claimants, it was revealed that in most of the cases the



amounts credited as compensation from the Railway was transferred to the bank accounts of Bidyanand Singh and his associates, which include these petitioners also.

15. It has further been submitted that the amount siphoned off from the bank accounts of the claimants was distributed between Vijay Kumar and Bidyanand Singh in the proportion of 35% and 65% respectively, while petitioner, Parmanand Sinha, being the brother of the accused Bidyanand Singh, received amount in his bank account upon transfer made by Bidyanand Singh, thereby having a share in the 65% of the amount siphoned off by Bidyanand Singh. The learned counsel has relied on the case of **Gautam Kundu v. Directorate of Enforcement (Prevention of Money Laundering Act), Government of India** reported in (2015) 16 SCC 1 to submit that Section 45 of the PMLA imposes twin conditions for grant of bail and it has an overriding effect on the general provisions of Cr.P.C., in case of any conflict. Reliance has also been made on the decision of the Hon'ble Supreme Court in the case of **Nimmagadda Prasad v. C.B.I.** reported in (2013) 7 SCC 466 to contend that while granting bail, the Court has to keep in mind the nature of accusation, the nature of evidence in support thereof and the severity of the punishment which conviction



would entail and other considerations in the larger interest of the public. Further, the twin conditions laid down under Section 45 of the PMLA need to be strictly observed and adhered to while considering the grant of bail, as has been held by the Hon'ble Apex Court in the case of **Vijay Madan Lal Choudhary v. Union of India** reported in **(2023) 12 SCC 1** and in the present case the petitioners have failed to meet the twin conditions, as such they are not entitled to the privilege of bail. Additionally, it has also been submitted that the presence of the petitioners is required for framing of charges and if they are granted bail at this stage, the commencement of trial is likely to be hampered in an unjust manner along with the possibility of them influencing the witnesses or tampering with the evidence.

16. Upon hearing the rival contentions of the parties and from the perusal of the records of the case, the allegation against the present petitioners appears to be that of being involved in the conspiracy with the main accused, Bidyanand Singh and other Advocates of the claimants, however, it is also a fact that while petitioner, Vijay Kumar was granted anticipatory bail in the predicate offence i.e. in the C.B.I. case, the petitioner, Parmanand Sinha was also granted bail in a total period of 11 days of custody, considering the



various facts and circumstances including the factum of submission of charge-sheet. There is no dispute over the proposition that the twin conditions for grant of bail under Section 45 of the PMLA, the constitutionality of which was upheld in the case of **Vijay Madan Lal Choudhary (surpa)**, creates a restriction upon the right of the accused to grant of bail but it has been held in the said case that it does not impose an absolute restraint on grant of bail and the discretion vests in the Court, which needs to be fair and judicious and not arbitrary or irrational.

17. The Hon'ble Supreme Court has held in the case of **Prem Prakash v. Union of India** reported in (2024) 9 SCC 787 that Section 45 of the PMLA by imposing twin conditions does not re-write these principles to mean that deprivation is the norm and liberty is the exception. Paragraphs- 11 and 12 of the said judgment are being quoted hereunder:

“11. In Vijay Madanlal Choudhary v. Union of India [Vijay Madanlal Choudhary v. Union of India, (2023) 12 SCC 1] , this Court categorically held that while Section 45 PMLA restricts the right of the accused to grant of bail, it could not be said that the conditions provided under Section 45 impose absolute restraint on the grant of bail. Para 302 is extracted hereinbelow : (SCC p. 259)

“302. It is important to note that the twin conditions provided under Section 45 of the 2002 Act, though restrict the right of the accused to



grant of bail, but it cannot be said that the conditions provided under Section 45 impose absolute restraint on the grant of bail. The discretion vests in the court, which is not arbitrary or irrational but judicial, guided by the principles of law as provided under Section 45 of the 2002 Act.”

These observations are significant and if read in the context of the recent pronouncement of this Court dated 9-8-2024 in Manish Sisodia v. Enforcement Directorate [Manish Sisodia v. Enforcement Directorate, (2024) 12 SCC 660 : 2024 SCC OnLine SC 1920] , it will be amply clear that even under PMLA the governing principle is that “Bail is the Rule and Jail is the Exception”. In para 52 of Manish Sisodia [Manish Sisodia v. Enforcement Directorate, (2024) 12 SCC 660 : 2024 SCC OnLine SC 1920] , this Court observed as under:

“52. ... From our experience, we can say that it appears that the trial courts and the High Courts attempt to play safe in matters of grant of bail. The principle that bail is a rule and refusal is an exception is, at times, followed in breach. On account of non-grant of bail even in straightforward open-and-shut cases, this Court is flooded with huge number of bail petitions thereby adding to the huge pendency. It is high time that the trial courts and the High Courts should recognise the principle that “bail is rule and jail is exception.”

12. All that Section 45 PMLA mentions is that certain conditions are to be satisfied. The principle that, “bail is the rule and jail is the exception” is only a paraphrasing of Article 21 of the Constitution of India, which states that no person shall be deprived of his life or personal liberty except according to the procedure established by law. Liberty of the individual is always a Rule and deprivation is the exception. Deprivation can only be by the procedure established by law, which has to be a valid and reasonable procedure. Section 45 PMLA by imposing twin conditions does not re-write this



principle to mean that deprivation is the norm and liberty is the exception. As set out earlier, all that is required is that in cases where bail is subject to the satisfaction of twin conditions, those conditions must be satisfied.”

18. In the case of **Manish Sisodia v. Enforcement**

Directorate, reported in **(2024) 12 SCC 660**, the Hon’ble Apex Court has also dealt with prolonged incarceration of an accused vis-à-vis the constitutional mandate of liberty guaranteed under Article-21 of the Constitution of India. The relevant paragraphs are being quoted hereunder:

“ 35. *A Division Bench of this Court in Ramkripal Meena v. Enforcement Directorate [Ramkripal Meena v. Enforcement Directorate, (2024) 12 SCC 682] was considering an application of the petitioner therein who was to receive a bribe of rupees five crore and from whom, an amount of Rs 46,00,000 was already recovered. In the said case, the petitioner was arrested on 26-1-2022 in connection with FIR No. 402 of 2021 registered against him for the offences punishable under Sections 406, 420, 120-BIPC and Sections 4/6 of the Rajasthan Public Examination (Prevention of Unfair Means) Act, 1992. He was released on bail by this Court vide order dated 18-1-2023 [Ram Kripal v. State of Rajasthan, (2024) 12 SCC 686] . Thereafter, the petitioner was arrested by ED on 21-6-2023.*

47. *We find that, on account of a long period of incarceration running for around 17 months and the trial even not having been commenced, the appellant has been deprived of his right to speedy trial.*

48. *As observed by this Court, the right to speedy trial and the right to liberty are sacrosanct rights. On denial of these rights, the trial court as well as the High Court ought to have given due weightage to this factor.”*



19. In the present context, the case of **V. Senthil Balaji Vs. Deputy Director, Directorate of Enforcement** reported in **(2024) SCC OnLine 2626**, is extremely significant as it has expressly held that the Constitutional Courts cannot allow provisions like Section 45(i)(ii) to become instruments in the hands of the ED to continue prolonged incarceration with no possibility of trial concluding within a reasonable time and paragraphs-27 to 29 thereof, are being quoted as hereunder:

“27. Under the Statutes like PMLA, the minimum sentence is three years, and the maximum is seven years. The minimum sentence is higher when the scheduled offence is under the NDPS Act. When the trial of the complaint under PMLA is likely to prolong beyond reasonable limits, the Constitutional Courts will have to consider exercising their powers to grant bail. The reason is that Section 45(1)(ii) does not confer power on the State to detain an accused for an unreasonably long time, especially when there is no possibility of trial concluding within a reasonable time. What a reasonable time is will depend on the provisions under which the accused is being tried and other factors. One of the most relevant factor is the duration of the minimum and maximum sentence for the offence. Another important consideration is the higher threshold or stringent conditions which a statute provides for the grant of bail. Even an outer limit provided by the relevant law for the completion of the trial, if any, is also a factor to be considered. The extraordinary powers, as held in the case of K.A. Najeeb, can only be exercised by the Constitutional Courts. The Judges of the Constitutional Courts have vast experience. Based on the facts on record, if the Judges conclude that there is no possibility of a trial concluding in a reasonable time, the power of granting bail can always be exercised by the Constitutional Courts on the grounds of violation of



Part III of the Constitution of India notwithstanding the statutory provisions. The Constitutional Courts can always exercise its jurisdiction under Article 32 or Article 226, as the case may be. The Constitutional Courts have to bear in mind while dealing with the cases under the PMLA that, except in a few exceptional cases, the maximum sentence can be of seven years. The Constitutional Courts cannot allow provisions like Section 45(1)(ii) to become instruments in the hands of the ED to continue incarceration for a long time when there is no possibility of a trial of the scheduled offence and the PMLA offence concluding within a reasonable time. If the Constitutional Courts do not exercise their jurisdiction in such cases, the rights of the undertrials under Article 21 of the Constitution of India will be defeated. In a given case, if an undue delay in the disposal of the trial of scheduled offences or disposal of trial under the PMLA can be substantially attributed to the accused, the Constitutional Courts can always decline to exercise jurisdiction to issue prerogative writs. An exception will also be in a case where, considering the antecedents of the accused, there is every possibility of the accused becoming a real threat to society if enlarged on bail. The jurisdiction to issue prerogative writs is always discretionary.

28. *Some day, the courts, especially the Constitutional Courts, will have to take a call on a peculiar situation that arises in our justice delivery system. There are cases where clean acquittal is granted by the criminal courts to the accused after very long incarceration as an undertrial. When we say clean acquittal, we are excluding the cases where the witnesses have turned hostile or there is a bona fide defective investigation. In such cases of clean acquittal, crucial years in the life of the accused are lost. In a given case, it may amount to violation of rights of the accused under Article 21 of the Constitution which may give rise to a claim for compensation.*

29. *As stated earlier, the appellant has been incarcerated for 15 months or more for the offence punishable under the PMLA. In the facts of the case,*



the trial of the scheduled offences and, consequently, the PMLA offence is not likely to be completed in three to four years or even more. If the appellant's detention is continued, it will amount to an infringement of his fundamental right under Article 21 of the Constitution of India of speedy trial.”

20. The above-mentioned decision of **V. Senthil Balaji** (*supra*) was referred and relied upon in the case of **Udhaw Singh v. Enforcement Directorate [2025 INSC 247]** in Cr. Appeal No.799 of 2025 and following the principles laid down in the said case, the appellant therein was granted bail pending trial.

21. Very recently, in the case of **Arvind Dham v. Directorate of Enforcement** reported in **2026 SCC OnLine SC 30**, considering the fact that there was no likelihood of trial commencing in near future, coupled with continued incarceration, in the circumstance of documentary nature of evidence and further considering the law laid down by the earlier judicial pronouncements rendered by the Hon’ble Supreme Court, bail was granted to the custody accused in view of Article-21 of the Constitution of India. Paragraph 15 to 18 of the said judgment are being quoted hereunder:

“15. We have given our thoughtful consideration to the rival submissions and have carefully perused the record. The court while dealing with the prayer for grant of bail has to consider gravity of offence, which has to be ascertained in the facts and



circumstances of each case. One of the circumstances to consider the gravity of offences is also the term of sentence i.e., prescribed for the offence, the accused is alleged to have committed. The court has also to take into account the object of the special Act, the gravity of offence and the attending circumstances along with period of sentence. All economic offences cannot be classified into one group as it may involve various activities and may differ from one case to another. Therefore, it is not advisable on the part of the Court to categorize all the offences into one group and deny bail on that basis. It is well settled that if the State or any prosecuting agency including, the court, concerned has no wherewithal to provide or protect the fundamental right of an accused, to have a speedy trial as enshrined under Article 21 of the Constitution, then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime. The aforesaid proposition was quoted with approval by another two-Judge Bench of this Court and it was held that long period of incarceration for around 17 months and the trial not even having commenced, the appellant in that case has been deprived of his right to speedy trial.

16. *A two-Judge Bench of this Court in V. Senthil Balaji's case has held that under the statutes such as PMLA, where maximum sentence is seven years, prolonged incarceration pending trial may warrant grant of bail by Constitutional Courts, if there is no likelihood of the trial concluding within a reasonable time. Statutory restrictions cannot be permitted to result in indefinite pretrial detention in violation of Article 21.*

17. *A three Judge Bench of this Court in Padam Chand Jain (supra), reiterated that prolonged incarceration cannot be allowed to convert pretrial detention into punishment and that documentary evidence already seized by the prosecution eliminates the possibility of tampering with the*



same.

18. The right to speedy trial, enshrined under Article 21 of the Constitution, is not eclipsed by the nature of the offence. Prolonged incarceration of an undertrial, without commencement or reasonable progress of trial, cannot be countenanced, as it has the effect of converting pretrial detention into form of punishment. Economic offences, by their very nature, may differ in degree and fact, and therefore cannot be treated as homogeneous class warranting a blanket denial of bail.”

22. This Court would also consider the fact that the object of bail is to secure attendance of the accused in the trial, as such, the consideration for granting of bail would also be probability of the party cooperating in the trial but the State/Prosecuting agency including the Court, has the duty to protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution. This was taken into consideration in the case of **Javed Gulam Nabi Shaikh v. State of Maharastra**, reported in **(2024) 9 SCC 813**. Paragraph-17 and 18 of the judgment would be relevant and are being quoted hereunder:

*“17. If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.
18. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching*



postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly, howsoever stringent the penal law may be.”

23. Furthermore, with regard to the plea taken by the E.D. of non-cooperation by the petitioners, it needs to be clarified that merely giving evasive replies or not giving the reply as desired by the E.D., would not amount to non-cooperation, as cooperating with investigation does not extend to violation of the constitutional right against self-incrimination, as has been held in a very recent case of **Vinay Kumar Gupta Vs. State of Madhya Pradesh in S.L.P (Crl.) No. 20215 of 2025**, rendered by the Hon’ble Supreme Court vide order dated 16.02.2026 while granting anticipatory bail to the appellant in a case under the N.D.P.S. Act. The relevant extract of the order is being quoted hereunder:

*“ Counter affidavit has now been filed by the State of Madhya Pradesh, wherein it is stated that, after the passing of the afore-stated order dated 15-12-2025, the appellant joined the investigation on 02-02-2026 but it is the complaint of the State that he has not handed over his mobile phone. **It is for the State to complete the investigation in accordance with due procedure but, in that regard, it cannot insist upon the appellant incriminating himself. Cooperating with the***



investigation does not extend to violation of the Constitutional right against self- incrimination”.

24. So far as the order of the co-ordinate Bench dated 29.01.2026 passed in Cr. Misc. No.54140 of 2025, rejecting the prayer for bail on behalf of the main accused Bidyanand Singh is concerned, the same is apparently distinguishable on the ground that not only it concerns the person against whom the main thrust of allegation rests but also that the same has been passed purely on merits of the case, not disclosing any argument advanced on the violation of fundamental right of the accused under Article 21 of the Constitution of India and there is total non-consideration of the various judicial pronouncements of the Hon’ble Apex Court that prolonged incarceration of an accused, with trial not even having commenced, may warrant grant of bail by constitutional courts, if there is no likelihood of conclusion of trial within a reasonable frame of time.

25. Thus, considering the facts and circumstances of the present case, especially in view of the fact that there are as many as 27 witnesses to be examined and documents running into 4408 pages to be exhibited by the prosecution and the case still running at the stage of appearance with no likelihood of conclusion of trial in near future, when the same has not even



commenced, coupled with the fact that the petitioners are languishing in custody since more than a year, the petitioners cannot be kept behind bars for an indefinite period in the hope of conclusion of trial as, such prolonged pre-trial detention would have the effect of converting it into a form of punishment, and even statutory restrictions cannot be permitted to result in indefinite pre-trial detention in violation of Article 21 of the Constitution.

26. Thus, applying the principles and guidelines laid down in the cases of **V. Senthil Balaji (supra)**, **Manish Sisodia (supra)** and the recent case of **Arvind Dham (supra)**, this Court is of the considered opinion that no fruitful purpose would be served by keeping the petitioners in prolonged custody after the investigation has come to a close and there is no likelihood of trial to be concluded in near future within a reasonable time, as the same would amount to infringement of fundamental right of the petitioners.

27. Accordingly, let the petitioners be released on bail on furnishing bail bonds of Rs. 1,00,000/- (Rupees One Lakh) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge (PMLA), Patna in connection with Special Trial (PMLA) Case



No. 04 of 2025 arising from ECIR No. PTZO/08/2023 dated 25.01.2023, subject to the following conditions:

i. The petitioners shall appear before the Special Court/ concerned Court as and when the matter shall be taken up i.e. on each and every date.

ii. The petitioners shall not leave the country without the permission of the Trial Court;

iii. The petitioners shall provide their mobile number and address to the Enforcement Directorate at the time of their release and the E.D. shall be kept updated in case of any change in the phone number or address.

iv. The petitioners shall not influence the prosecution witnesses directly or remotely and in case of any violation of any conditions imposed by this Court, the prosecuting agency will be at liberty to file an application for cancellation of bail.

28. Accordingly, the present bail application is allowed with the aforesaid conditions.

29. It is however made clear that this Court has not expressed any opinion on the merits of the case.

(Soni Shrivastava, J)

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