

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61387 of 2025

Arising Out of PS. Case No.-27 Year-2023 Thana- E.C.I.R (GOVERNMENT OFFICIAL)
District- Patna

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Robin Yadav S/o- Late Umesh Yadav Resident of 127/A1, Satin Sen Sarani,
Near Ideal Building, P.S. Kankurgachi, District Kolkata (West Bengal)
... .. Petitioner/s

Versus

The Union of India through the Assistant Director, Directorate of
Enforcement, Govt. of India Chandpura Place Bank Road West Gandhi
Maidan Dist- Patna
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Mohit Agarwal, Adv. Mr. Rahul Kumar, Adv. Mr. Aman Kumar, Adv.
For the Opposite Party/s :		Mr.Dr. K.N. Singh (A.S.G.)
For the E.D.	:	Mr. Prabhat Kr. Singh, Adv. (Retainer Counsel) Mr. Raghaw Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 13-01-2026 Heard the parties.

2. The petitioner is seeking regular bail in connection with Special Trial (PMLA) Case No. 03 of 2024 (Supplementary record of Special Trial (PMLA) Case No. 12 of 2023) arising out of ECIR No. PTZO/27/2023, registered for the offences punishable under Section 4 read with Section 70 of the PML Act, 2002.

3. The prosecution case, in brief, is that on 07.12.2021, Ms. Carmel Fox, an Irish national, reported a fraud at Dungarvan Garda Police Station, stating that she received a call from a person posing as ‘Stephanie’ from Eircom Technological Service, who induced her to provide laptop access through TeamViewer and



obtained her bank details on the pretext of a broadband refund. It is alleged that an amount of 950 Euros was fraudulently debited from her Visa credit card through the Rewire app, which she had neither installed nor used. As per information received from NCB-Ireland, the said amount was transferred from the Rewire account to an HDFC Bank account in the name of Nitesh Kumar of Bihar, India, who is arrayed as one of the accused.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No prima facie offence of money-laundering under Section 3 of the PMLA is made out, as there are no established proceeds of crime attributable to the petitioner. Mere allegation of recovery of cash from the premises does not attract the offence, particularly when the seized amount is stated to belong to the co-accused. The only allegation against the petitioner is that he was an associate of the co-accused, which by itself does not constitute any offence. All records and electronic evidence have already been seized and the petitioner has been interrogated at length, during which nothing incriminating was recovered. No bank account, mule account, or foreign remittance has been shown to be in the name of or operated by the petitioner. The petitioner has fully cooperated with the investigation and provided explanations for all entries. In view of the settled law and absence of mens rea, the



rigours of Section 45 of the PMLA are not attracted. He has further submitted that the petitioner is a person of clean antecedent and has been in custody since 04.05.2024. He has also submitted that on exactly similar footing, co-accused Sagar Yadav has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 52321 of 2024.

5. On the other hand, the learned counsel for the Enforcement Directorate has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (PMLA)-cum-Special Judge, Patna/Concerned Court in connection with Sessions (Trial) (PMLA) Case No. 03 of 2023, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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