

IN THE COURT OF SPECIAL JUDGE (PC ACT) CBI-21 :
ROUSE AVENUE COURT : NEW DELHI
Presided Over by Sh. Shailender Malik

CBI vs. Manjoor Alam & Ors.
CBI No. 144/2024

23.04.2025

Vide this Order, I shall dispose off bail application of applicant/accused Salman @ Salman Munir Shaikh.

GROUND:

1. It is stated that applicant/accused is in Judicial Custody from 21.01.2025. Applicant/accused has been falsely implicated in the present case as there is no concrete evidence against the applicant/accused. It is stated that applicant/accused has no previous criminal background. Arrest of applicant/accused Salman @ Salman Munir Shaikh by CBI on 21.01.2025 raises serious legal concerns as despite having valid travel documents, applicant/accused was arrested without following mandatory provisions of Section 41 A Cr.P.C or Arunachal Kumar Guidelines. It is stated that there is no evidence as against the applicant/accused. There is nothing on record to establish any connection of applicant/accused with M/s Ali International or any financial benefit to the applicant/accused, as such, the offence against the applicant/accused is not made out. It is stated that there is nothing on record to establish in any manner that applicant/accused has been part of criminal conspiracy.

REPLY:

2. Reply to the bail application has been filed by CBI wherein, detailed factual background of the matter has been mentioned. It is matter of record that present case was registered by CBI u/s 120B, 370 & 420 IPC on the basis of information from reliable source that international network of human trafficking is involved in trafficking of Indian Nationals to South East Asian Countries particularly, Laos, Cambodia, Myanmar etc. The victims are firstly offered lucrative jobs in Thailand, Dubai, Bangkok etc. and when the victims reach at the pre-destined countries, they are further illegally trafficked /transported to South East Asian Countries.

3. It is stated that charge-sheet in the present case has already been filed initially against five accused persons. Subsequently, supplementary charge-sheet was filed against the applicant/accused and other accused. It is stated that one of the victim of human trafficking was Saddam Ibrahim Sheikh and another victim Mukesh Pal also gave the statement. So far as with regard to applicant/accused, it is mentioned that another victim namely Saddam Ibrahim Shaikh was offered job in Thailand as Computer Operator. Said victim made payment of Rs.1,20,000/- in 6 installments from 02.02.2024 to 10.02.2024. However, none of these payments were allegedly made in the bank account of M/s Ali International. Out of those payments, some payment was received from UPI by accused Khursheed Ahmad and another accused Akhalque Ansari. It is also mentioned that when victim reached Thailand, he was made to stay in hotel on night of 12.02.2024. Victim was illegally transported to Laos.

4. It is mentioned in para 10 of reply that in Laos, one Hunnid introduced victim to applicant/accused and victim was illegally engaged in a job by Chinese agent through applicant/accused. It is also mentioned in the elaborate reply that later applicant/accused was arrested when he was trying to escape from India and going to Bangladesh.

SUBMISSIONS & ANALYSIS :

5. I have heard Ld. Counsel for applicant/accused and Ld. PP for CBI. Having heard the submissions, at the outset, it be noted that only evidence against the applicant/accused is the supplementary statement u/s 161 Cr.P.C of victim Saddam Ibrahim Sheikh dt. 13.03.2025 except the supplementary statement of the victim, there is no evidence against the applicant/accused. Even if that supplementary statement dt. 13.03.2025 is examined, victim / witness has stated that on 12.02.2024, he was transported / trafficked to Laos by one Haider Zaidi and handed over to one Hunnid Bhai. After having conversation with Hunnid, he came to know that Hunnid had close contacts with Chinese agents over there in golden Triangle area. Said Hunnid Bhai introduced him to Salman @ Salman Munir Shaikh/applicant-accused. “Victim however, stated that he was shifted to Hotel in the intervening night of 12 & 13.02.2024 and said Salman, Hunnid and one other Chinese person took him for interview in the hotel and he was selected for work.....”

6. Taking such statement of victim Saddam Ibrahim Sheikh on the face of it that witness has not named applicant/accused in his earlier statements. Name of the applicant/accused for the first time came only in the supplementary statement dt. 13.03.2025. Moreover, there is no evidence as against the applicant/accused in any manner contributing for

trafficking of the victim. Even taking the statement on the face of it, applicant/accused employed the victim in Chinese company. There is no evidence of any financial gain of applicant/accused.

7. It is argued by Ld. PP for CBI that there is very much likelihood that applicant/accused, if granted bail would flee away from the judicial process as applicant/accused was arrested near Bangladesh border when he was trying to escape from India.

8. Such arguments of Ld. PP for CBI were rebutted by Ld. Counsel for applicant/accused by submitting that applicant/accused had valid travel documents while he was going to Bangladesh and it was not that he was escaping from country rather joined the investigation and was going only to meet his relatives. It is further submitted by Ld. Counsel for applicant/accused that stringent conditions can be imposed in the bail order for ensuring the present of the applicant/accused.

9. Having considered the submissions and taking into consideration the totality of the fact and the fact that there is no much evidence as against the accused except the supplementary statement of the victim regarding employing of the victim in the Chinese company at Laos. In such circumstance, taking into consideration the period of custody of applicant/accused, applicant/accused is admitted to bail **upon furnishing bail bond in the sum of Rs.1,00,000/- with two sureties of equal amount as well as subject to the following conditions:**

- (i) Applicant/accused shall not leave the country without permission of the court.
- (ii) Applicant/accused shall surrender his passport at the time of furnishing of Bail Bond / Surety Bond.

(iii)Applicant/accused would furnish an affidavit mentioning his permanent place of residence, contact number / mobile number which would remain **“Switch On” 24 X 7**.

(iv)Applicant/Accused shall not try to contact, influence, coerce, threaten the complainant and prosecution witnesses or tamper with evidence.

(v)Accused shall appear in the Court on each date of hearing without any fail.

10. With these directions bail application stands disposed off.

(Shailender Malik)
Spl. Judge (PC Act) CBI-21
RACC/New Delhi/23.04.2025

