

M. L. CASE NO.12 OF 2024

CNR NO.WBCS01-001058-2024

Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.WB00590

Order No.17 dated 13.05.2025

Today is fixed for production of the accused person namely A-1 Sanjay Kumar Sureka in virtual mode and further hearing of the bail application dated 25.02.2025 along with other applications filed by both the parties.

The accused person namely (A-1) **Sanjay Kumar Sureka** is produced through virtual mode.

Ld. Counsels for the accused person namely (A-1) **Sanjay Kumar Sureka** are present.

Ld. Special P.P. for Enforcement Directorate is present.

One written objection is filed on behalf of the Enforcement Directorate to the secondary supplementary application dated 05.04.2025 and the same be kept with the record.

One petition is filed on behalf of the applicant/accused Sanjay Kumar Sureka along with the Judgement of the Hon'ble High Court at Calcutta passed in WPA 7872 of 2025 with a prayer to take note of the development in regard to this case. So, the case is taken up for hearing of the bail application.

Ld. Advocate for the accused/petitioner submits that the investigation initiated in connection with the FIR RCBSK2022E0001 dated September 06, 2022 has been stayed by the Hon'ble Court and therefore, the accused is entitled to release on bail. He further submits that when the arrest is illegal bail cannot be denied on the grounds of non-fulfillment of the clause (ii) of sub-section (1) of section 45 of the PMLA.

In support of his contention, he has placed reliance upon various judgements of the Hon'ble Supreme Court of India as well as the Hon'ble High Court at Calcutta.

At this juncture, Ld. Special Public Prosecutor of Enforcement Directorate files a petition with a prayer to provide him an opportunity to file written objection to the petition dated 13.05.2025.

Heard both sides. Considered.

In view of the submissions advanced by the Ld. Special Public Prosecutor of Enforcement Directorate, I am of the view that an opportunity must be given to the Enforcement Directorate to file the written objection/reply to the contention advanced by the accused/petitioner banking upon the Judgement of the Hon'ble High Court, Calcutta in WPA 7872 of 2025.

Accordingly, the bail application dated 25.05.2025 filed on behalf of accused Sanjay Kumar Sureka is heard in part and the same is adjourned till **21.05.2025**.

Enforcement Directorate is directed to submit their objection if any meantime.

Let a copy of this order be given to the Enforcement Directorate through Ld. Special P.P for information and compliance.

To date **21.05.2025** for production of the accused person in virtual mode and hearing of the bail application.

Accused be remanded to J.C till date.

D/C by me.

Sd/-

Chief Judge
City Sessions Court, Calcutta

Sd/-

Chief Judge
City Sessions Court, Calcutta