

M.L Case no 8 of 2025
CNR – WBCS01-000381-2025
Present: Sri Sukumar Ray
Chief Judge, City Sessions Court, Calcutta
J.O. CODE NO.-WB00590.

Order no. 15 dated 13.08.2025

1. Today is fixed for hearing of the bail applications dated 28.07.2025 and 04.08.2025.
2. Ld. Special Public Prosecutors for Enforcement Directorate are present.
3. Ld. Advocate for the accused persons are present.
4. Now the bail petition dated 28.07.2025 filed on behalf of accused Sonu Kumar Thakur is taken up for hearing.
5. The bail petition is moved.
6. Ld. Advocate for the accused/petitioner prays for bail of this accused/petitioner on the following grounds that :
 - i) he is custody for more than 54 days;
 - ii) the allegations against this accused/petitioner are totally false;
 - iii) this accused/petitioner is a respectable member of the society and his detention in custody would cause irreparable loss of his prestige in the society;
 - iv) this accused/petitioner has old aged parents and none is there to look after them without him and
 - v) he has a fixed place of residence and as such there is no chance of his absconsion.
7. Ld. Special Public Prosecutor for the Enforcement Directorate opposes the bail prayer of this accused/petitioner on the following grounds that :
 - i) this accused/petitioner is directly involved in the alleged offence of money laundering;
 - ii) he played an active role in layering of proceeds of crime by opening bank accounts in the name of other persons and
 - iii) he used to hand over the said bank accounts to the persons who were involved in online betting activities, investment frauds, digital arrest and other illegal activities.
8. On careful perusal of the materials on record, it prima facie appears that some mule bank accounts have been opened by this accused for specifically intended for the collection and subsequent layering of proceeds of crime generated through illegal online betting, gambling and other criminal activities. In order to prevent the dissipation, transfer, or concealment of these proceeds, immediate steps were taken to secure the funds and after due process, bank lances lying in the 1130 mule bank accounts totaling to Rs. 10,20,21,778.20/- were frozen.
9. On scrutiny of the record, it prima facie appears that this accused/petitioner is an instrumental part of layering of proceeds of crime, by opening bank accounts in the name of other persons and handing over these mule accounts to persons, who are involved in online betting activities, investment frauds, Digital arrest and other illegal activities and he recruited individuals to open these accounts, provided account kits and SIM cards and smuggled them to Dubai where handlers operated online betting panels using his mule accounts. It further appears that he is also involved in the illegal transfer of funds, managing commissions and maintaining detailed records of operations and his close ties with other key players, including accused Abhishek Bansal and Dubai based handlers, further entranced his role in the operation.

10. It is evident from a plain reading of Section 45 Prevention of Money Laundering Act that it enables the person arrested under Section 19 thereof to seek release on bail but it postulates that unless the twin conditions prescribed thereunder are satisfied, such a person would not be entitled to grant of bail. The twin conditions set out in the provision are that, firstly, the court must be satisfied, after giving an opportunity to the Public Prosecutor to oppose the application for release, that there are *reasonable grounds* to believe that the arrested person is not guilty of the offence and, secondly, that he is not likely to commit any offence while on bail. (**See:** Vihaan Kumar Versus State of Haryana & another, 2025 SCC OnLine SC 269).
11. The Prevention of Money Laundering Act was enacted with the primary objective of preventing money laundering and confiscating the proceeds of crime, thereby ensuring that such illicit funds do not undermine the financial system. Money laundering has far-reaching consequences, not only in terms of individual acts of corruption but also in causing significant loss to the public exchequer. The laundering of proceeds of crime results in a significant loss to the economy, disrupts lawful financial transactions, and erodes public trust in the system.
12. The Prevention of Money Laundering Act was enacted to combat the menace of money laundering and to curb the use of proceeds of crime in the formal economy. Given the evolving complexity of financial crimes, courts must adopt a strict approach in matters concerning economic offences to ensure that perpetrators do not exploit procedural loopholes to evade justice. (**See:** Pradeep Nirankarnath Sharma V. Directorate of Enforcement, AIR 2025 SC 1940).
13. Considering the facts and circumstances and the role played by this accused/petitioner in the alleged offence of money laundering, I am not inclined to allow the prayer for bail of the accused/petitioner, namely, Sonu Kumar Thakur, at this stage.
14. Accordingly, the prayer for bail of the accused/petitioner, namely, **Sonu Kumar Thakur**, stands **rejected**.
15. Now the bail petition of accused Vishal Bharadwaj @ Badal Bharadwaj is taken up hearing.
16. At this stage, Ld. Advocate for this accused files a petition praying for time on the grounds stated therein.
17. Heard. Considered. The prayer for time is allowed.
18. To date i.e. on **25.08.2025** for production of the accused persons and fixing **20.08.2025** for hearing of the bail petition of accused Vishal Bharadwaj @ Badal Bharadwaj.

Dictated & corrected by me.

Sd/-
Chief Judge,
City Sessions Court, Calcutta.

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