

M.L. CASE NO 22 OF 2025
CNR-WBCS01-001020-2025
Present: Shrutirupa Ghosh (Majee)
Chief Judge, in-charge,
Addl. Dist & Sessions Judge,
Fast Track Court No. 2,
City Sessions Court, Calcutta
JO Code No. WB00821

Order no. 04 dated 05.03.2026

1. Ld. PO has been retained on duty in the courts during the upcoming process of Special Intensive Revision (S.I.R.) by the Hon'ble Court, Calcutta in view of the order dated 20.02.2026 passed by the Hon'ble Supreme Court of India in Writ petition(s) Civil Number(s)1089 of 2025 with W.P. (C) Number-126/2026, W.P. (C) Number-129/2026(PIL-W), W.P. (C) Number-737/2025(PIL-W), W.P. (C) Number-1074/2025 (PIL-W), W.P.(C) Number-1088/2025 (PIL-W), W.P.(C) Number-1216/2025(PIL-W), W.P.(C) Number-159/2026(PIL-W), W.P.(C)Number-119/2026 (PIL-W). I am in charge.
1. Today is fixed for appearance and hearing on the point of cognizance.
2. The proposed accused persons, namely, Prasenjit Das, Chandan Sarkar, Laltu Saha, Debabrata Sarkar and Prabir Kumar Bhaduri appear before this Court as per notice issued by this Court and they are taken into custody.
3. Accused person Kanti Lal Dutta on Court bail is present by filing hazira.
4. Accused Rabin Sarkar on Court bail is absent by filing a petition praying for condoning his absence.
5. Heard. Considered. The prayer is allowed.
6. Ld. Special Public Prosecutor for Enforcement Directorate is present.
7. Ld. Advocates for the accused persons are present.
8. Separate petitions have been filed on behalf of the accused persons, namely, Prasenjit Das, Chandan Sarkar, Laltu Saha, Debabrata Sarkar and Prabir Kumar Bhaduri praying for bail.
9. Now, the bail petitions are taken up for hearing.
10. Ld. Advocates for the accused/petitioners submit that these accused/petitioners voluntarily surrender before this Court as per notice issued by this Court and also undertake to remain present on each and every date of hearing if they are granted bail.
11. In support of their contention, Ld. Advocates for the accused/petitioners cited one Judgement of the Hon'ble Supreme Court of India in the case of **Tarsem Lal Vs Directorate of Enforcement Jalandhar Zonal Office** reported in **2024 SCC OnLine SC 971** and also draws the attention of paragraph 23(c) which is set out as follows “*After a summons is issued under Section 204 of the CrPC on taking cognizance of the offence punishable under Section 4 of the PMLA on a complaint. If the accused appears before the Special Court pursuant to the summons, he shall not be treated as if he is in custody. Therefore, it is not necessary for him to apply for bail. However, the Special Court can direct the accused to furnish bond in terms of Section 88 of the CrPC*”.

12. Ld. Special Public Prosecutor on behalf of the Enforcement Directorate has raised formal objection and leaves the matter upon the discretion of this Court.
13. Heard both sides.
14. Perused the case record and the petitions filed by the accused/petitioners.
15. It reveals from the case record that these accused/petitioners have voluntarily surrendered before this Court as per notice issued by this Court and also considering the nature and role of the accused/petitioners in the alleged offence and in view of the observation of the Hon'ble Apex Court, the prayers for bail of the accused/petitioners **Prasenjit Das, Chandan Sarkar, Laltu Saha, Debabrata Sarkar and Prabir Kumar Bhaduri** are **allowed**.
16. Accused/petitioners **Prasenjit Das, Chandan Sarkar, Laltu Saha, Debabrata Sarkar and Prabir Kumar Bhaduri** may find bail of **Rs. 5,000/- each** with two sureties of **Rs. 2,500/- each** subject to the satisfaction of Ld. Chief Judicial Magistrate, Calcutta i.d J.C till **19.03.2026**.
17. Accused/petitioners **Prasenjit Das, Chandan Sarkar, Laltu Saha, Debabrata Sarkar and Prabir Kumar Bhaduri** are directed to appear before this Court on each and every date of hearing.
18. Fix **21.04.2026** for appearance of the accused persons and hearing on the point of cognizance.
19. If on bail to date, i.e., on **21.04.2026** for appearance of the accused persons before this court.
20. Let a copy of this order be sent to the Ld. Chief Judicial Magistrate., Calcutta for information.
21. Let a copy of this order be sent to the Enforcement Directorate through Ld. Special Public Prosecutors for information.

D/C by me

Chief Judge (I/C)
City Sessions Court, Calcutta

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