

M. L. CASE NO.12 OF 2024
CNR NO.WBCS01-001058-2024
Present: Sri Sukumar Ray
J.O. CODE NO.WB00590
Chief Judge,
City Sessions Court, Calcutta

Order No. 74 dated 27.04.2026

1. Today is fixed for hearing of the bail application dated 17.04.2026 filed by the accused Anant Kumar Agarwal, hearing of the petitions dated 17.04.2026 filed by Enforcement Directorate, hearing of the petition dated 20.04.2026 filed by the accused Anant Kumar Agarwal, reply, if any and order.
2. Today is also fixed for submission of report by the Superintendent, Presidency Correctional Home and production of accused Sanjay Kumar Surekha.
3. Accused Sanjay Kumar Surekha and Anant Kr. Agarwal have been produced before this Court from J.C through audio-video electronic means.
4. Two medical reports in respect of accused Anant Kumar Agarwal and Sanjay Kumar Surekha have been received from the Superintendent, Presidency Correctional Home.
5. Perused the same and let those be kept with the record.
6. One physical non-production report of accused Sanjay Surekha has also been received from the Superintendent, Presidency Correctional Home.
7. Perused the same and let it be kept with the record.
8. Ld. Special Public Prosecutor for Enforcement Directorate as well as Ld. Advocate for the accused person are present.
9. Now, the bail application in respect of the accused person, namely, Anant Kumar Agarwal is taken up for hearing.
10. Ld. Advocate for the accused/petitioner prays for bail on the grounds that -
 - i. this accused/petitioner is innocent and has been falsely implicated in the alleged offence in question;
 - ii. this accused/petitioner is suffering from various ailments such as GI disorder, anxiety disorder, depression, migraine and hypertension;
 - iii. His ailments has not been recovered but it becomes deteriorated day by day which needs constant medical supervision and strict monitoring;
 - iv. even more, his condition is so deteriorated and has recurring symptoms;
 - v. his medical condition is not temporary but chronic in nature, requires long term treatment under the supervision of specialist doctors and
 - vi. he falls within the category of sick person and he needs to be enlarged on bail immediately.

11. Ld. Special Public Prosecutor opposes the bail prayer and submits that this accused person was admitted in Apollo Multispeciality Hospital as per order of this Court and thereby, he was discharged from there as there was no medical urgency and so, there is no immediate need to consider the bail prayer of the accused.
12. It is evident from a plain reading of Section 45 Prevention of Money Laundering Act shows 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*).
13. 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.
14. 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.
15. Upon careful perusal of the record, it is evident that the accused person was admitted as an indoor patient at Apollo Hospital, where he received comprehensive treatment and a thorough medical diagnosis of his ailments. He was placed on a specialized diet meticulously prepared under the doctor's guidance and at present, he continues to undergo medical care at correctional facilities.
16. It is not specifically mentioned in the report that the treatment is so specialized and there is no whisper in the medical report that the sickness suffered by the accused/petitioner is so serious and life endangering.
17. The offence of money laundering constitutes a grave violation, perpetrated by individuals with deliberate intent and a clear motive to illicitly augment their

personal gains, while callously disregarding the broader interests of the nation and society at large. By no stretch of imagination can such an offence be deemed trivial or insignificant. To effectively combat this pervasive menace, the Act incorporates stringent provisions designed to deter and penalize money laundering.

18. There is no material on record to suggest reasonable grounds for believing that the accused/petitioner is not guilty of the alleged offence under the Prevention of Money Laundering Act, or that he is not likely to commit any further offence while on bail. Moreover, the materials on record clearly indicate the strong smell of involvement in a methodical racket designed to perpetrate crimes of the present nature.
19. For the aforesaid reasons, I am not inclined to allow the prayer for bail of this accused/ petitioner, namely, Anant Kumar Agarwal, at this stage.
20. However, this Court rejects the bail prayer of the accused Anant Kumar Agarwal, with a direction upon the Superintendent, Presidency Correctional Home, Alipore, Kolkata to –
 - (a) get the accused Anant Kumar Agarwal examined by a team of doctors of SSKM Hospital, having five or more, comprising of the Professor and head, Neurology and Gastroenterology Department, one Endocrinologist, one Psychiatrist, Professor and Head of General Medicine and one Cardiologist and sufficient numbers of other specially skilled doctors, if necessary;
 - (b) get an opinion of the said team of doctors, in details, as to the physical/mental condition of the accused Anant Kumar Agarwal; and
 - (c) Submit the report of the team of doctors before this Court on the date fixed, positively.
21. A copy of this order be forwarded to the Dr. Manimoy Bandopadhyay, Director, Institute of Post Graduate Medical Education & Research, SSKM Hospital for information with a request to take necessary action to achieve the purpose, as specified above.
22. If situation demands, in any manner whatsoever, accused Anant Kumar Agarwal may be taken to any private superspeciality hospital within the jurisdictional limits of Kolkata and rendered medical assistance therein at his own choice and expense and in this regard, the Superintendent, Presidency Correctional Home is directed to arrange for adequate security at the hospital round the clock during the stay of the accused therein and submit a compliance report before this court.
23. It is apposite to mention here that vide order no.73 dated 23.04.2026, the Superintendent Presidency Correctional Home was directed to provide all medical treatment/aids/assistance to accused Anant Kumar Agarwal positively.

24. A copy of this order be forwarded to the Superintendent, Presidency Correctional Home, Alipore, Kolkata for compliance.
25. It also appears that the petition dated 13.02.2026 filed by accused Sanjay Kr. Surekha has already been disposed of by this Court vide order no. 70 dated 10.04.2026 wherein he was permitted to be periodically taken to Belle View Clinic, Kolkata and rendered medical assistance at his own cost and expense, if necessary.
26. Now, the petitions dated 17.04.2026 filed by Enforcement Directorate are taken up together for hearing.
27. Ld. Special Public Prosecutor representing the Enforcement Directorate has candidly submitted that these petitions became infructuous as the accused person was already admitted and subsequently discharged from the hospital.
28. Heard the Ld. Advocate for accused.
29. I have perused the case record.
30. Considering the submission of the prosecution, the petitions dated 17.04.2026 filed by the Enforcement Directorate/prosecution stand disposed of being infructuous.
31. Ld. Special Public Prosecutor verbally prays for supplying copy of medical report being no. 4254/IMB dated 26.04.2026 in respect of accused Sanjay Kr. Surekha to the Enforcement Directorate.
32. Heard. Considered. The prayer is allowed.
33. Let the copy of medical report being no. 4254/IMB dated 26.04.2026 in respect of accused Sanjay Kr. Surekha be given to the Enforcement Directorate through Ld. Special Public Prosecutor.
34. Office is do the needful.
35. Accused persons Sanjay Kr. Surekha and Anant Kr. Agarwal be remanded to J/C till 06.05.2026.
36. To date, i.e., 06.05.2026 for production of the accused persons and submission of report.
37. Let a copy of this order be sent to the Enforcement Directorate through the Ld. Special Public Prosecutor for information.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

Chief Judge
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