

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 428 OF 2021
(Arising out of SLP(Crl.)No. 4863 of 2020)

MD. NAUSHAD @ NASIA @ NAUSHAD ALAM
@ MD. NAUSHAD ALAM

Appellant (s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

O R D E R

This appeal is directed against the judgment and order dated 27.05.2020 passed by the High Court of Judicature at Patna in Criminal Misc. No. 78159 of 2019 rejecting the appellant's prayer for bail in respect of Complaint Case No. ECIR No. PTZO/08/2013 corresponding to Special (PMLA) Case No. 02 of 2016.

Heard learned counsel for the parties.

Taking overall view of the matter and considering the fact that the appellant has already undergone substantial sentence period of 4 years and 2 months out of 5 years; and that the crime property / proceeds of crime involved in the offence under consideration is less than 1 crore coupled with the fact that hearing of the companion

appeal(s) pending before this Court may take some time, we direct that the appellant be released on bail to the satisfaction of the Trial Court in connection with Special (PMLA) Case No. 02 of 2016 arising out of the Complaint Case No. ECIR No. PTZO/08/2013 on such terms and conditions, as may be imposed by the Trial Court.

Hence, we set aside the impugned judgment and order passed by the High Court. The appeal is allowed in the above terms.

Pending applications, if any, stand disposed of.

.....J
(A.M. KHANWILKAR)

.....J
(DINESH MAHESHWARI)

.....J
(KRISHNA MURARI)

New Delhi
April 15, 2021

ITEM NO.12

Court 5 (Video Conferencing)

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 260/2020

(Arising out of impugned final judgment and order dated 17-04-2019 in CRLA(SJ) No. 4446/2018 passed by the High Court Of Judicature At Patna)

THE ASSISTANT DIRECTOR DIRECTORATE OF ENFORCEMENT Petitioner(s)

VERSUS

MD. NAUSHAD @ NASIA & ANR.

Respondent(s)

(FOR ADMISSION and I.R

IA No. 190953/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

SLP(Cr1) No. 4863/2020 (II-A)

(FOR

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 102336/2020

FOR EARLY HEARING APPLICATION ON IA 21697/2021

FOR EXEMPTION FROM FILING AFFIDAVIT ON IA 21702/2021

IA No. 21697/2021 - EARLY HEARING APPLICATION

IA No. 21702/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 102336/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 15-04-2021 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR

HON'BLE MR. JUSTICE DINESH MAHESHWARI

HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s)

Mr. Tushar Mehta, Ld. S.G.

Mr. S.V. Raju, Ld. ASG

Ms. Sonia Mathur, Sr. Adv.

Mr. Zoheb Hossain, Adv.

Mr. Abhishek Kumar, Adv.

Mr. Kanu Agarwal, Adv.

Mr. Ragvendra P. Shekhar, Adv.

Mr. M.K. Maroria, AOR

Mr. Rajesh Mahele, Adv.

Mr. Devendra Kumar Singh, Adv.

Mr. Manoranjan Mishra, Adv.
Mr. Karunakar Mahalik, AOR

For Respondent(s)

Mr. Karunakar Mahalik, AOR
Mr. Samir Ali Khan, AOR
Mr. B. V. Balaram Das, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(Crl.) No. 260 of 2020

Mr. S.B. Raju, learned Additional Solicitor General points out that the issue raised in the present Special Leave Petition is already pending in SLP(Crl.) No.4634 of 2014 and other connected matters before a Three Judge Bench of this Court and was heard for almost three days.

As the hearing of those matters would continue further, this Special Leave Petition is deferred for the time being, to be listed in the third week of July, 2021.

SLP(Crl) No. 4863/2020

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)

[Signed order is placed on the file]