IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 3832 OF 2024
(Arising out of SLP(Criminal) No. 6456/2024)

PREMAL KETAN RADIA **Appellant(s)**

VERSUS

THE UNION OF INDIA & ORS. **Respondent(s)**

WITH

CRIMINAL APPEAL No.3833 OF 2024
(Arising out of SLP(Criminal) No.6457/2024)

ANIL PASWAN @ ANIL SAROJ **Appellant(s)**

VERSUS

THE UNION OF INDIA & ORS. **Respondent(s)**

O R D E R

1. Leave granted.

2. The present appeals are filed assailing the impugned judgment and order dated 22.01.2024, passed by the High Court of Judicature at Patna in Criminal Miscellaneous No. 68246 of 2023, whereby the High Court of Judicature at Patna has rejected the application(s) filed by the present appellants seeking bail in connection with the Criminal Complaint Case No. 67(O) 2023 arising out of the D.R.I. Regional Unit Patna, Unit Case No. 5/2023-24 dated 09.06.2023, lodged before the Court of Presiding Officer(Special), Economic

Signature Not Verified
Digitally signed by Nisha Khoiby
Date: 2024.09.19 17:34:24 IST
Reason:

Offences, Civil Court, Patna for the offence committed under Sections 135(1)(a) and 135(1)(b), and punishable under Section 135(1)(i)(A) of the Customs Act.

3. Heard learned senior counsel/ learned counsel for the parties and perused the material on record.

4. Having regard to the fact that the appellants have already undergone sixteen months of incarceration (as on date), and that the charge-sheet has been filed as back as in August, 2023 and since then, even the charge has not been framed by the Trial Court, without going into the merits of the cases, we are inclined to accept the present appeals.

5. In that view of the matters, the appellants namely, *Premal Ketan Radia and Anil Paswan @ Anil Saroj,* are directed to be released on bail in connection with the Criminal Complaint Case No. 67(O) 2023 arising out of the D.R.I. Regional Unit Patna, Unit Case No. 5/2023-24 dated 09.06.2023, lodged before the Court of Presiding Officer(Special), Economic Offences, Civil Court, Patna for the offence committed under Sections 135(1)(a) and 135(1)(b), and punishable under Section 135(1)(i)(A) of the Customs Act, if they are not required in any other case, on such terms and conditions that may be imposed or deem fit by the Trial Court, including the condition that the appellants

shall deposit their passport with the Trial Court and give their correct addresses and contact numbers on affidavit. They shall also co-operate with the Trial Court in concluding the trial expeditiously.

6. It goes without saying that the respondent-State shall be at liberty to file appropriate application seeking cancellation of bail in case any of the conditions, that may be imposed by the Trial Court, are violated or breached by the appellants.

7. The appeals stand allowed accordingly.

8. Pending application(s), if any, shall stand closed.

.....J.
(BELA M. TRIVEDI)

.....J.
(SATISH CHANDRA SHARMA)

New Delhi
17th September, 2024

ITEM NO.6 COURT NO.13 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 (Crl.) No(s). 6456/2024

(Arising out of impugned final judgment and order dated 22-01-2024 in CRLM No. 68246/2023 passed by the High Court Of Judicature At Patna)

PREMAL KETAN RADIA Petitioner(s)

VERSUS

THE UNION OF INDIA & ORS. Respondent(s)

(IA No. 94792/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH
SLP(Crl) No. 6457/2024 (II-A)

(IA No. 95138/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 17-09-2024 These matters were called on for hearing today.

CORAM :
HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Ajit Sinha, Sr. Adv.
Mr. Mohit Agarwal, Adv.
Mr. Akshat Agrawal, Adv.
Ms. Swati Ghildiyal, AOR

For Respondent(s) Mr. Gurmeet Singh Makker, AOR
Mr. Zoheb Hussain, Adv.
Mr. Annam Venkatesh, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Vivek Gurnani, Adv.

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

1. Leave granted.

2. The appeals are allowed in terms of the signed order.

3. The operative part of the order reads as hereunder;

> ***"In that view of the matters, the appellants namely, Premal Ketan Radia and Anil Paswan @ Anil Saroj, are directed to be released on bail in connection with the Criminal Complaint Case No. 67(O) 2023 arising out of the D.R.I. Regional Unit Patna, Unit Case No. 5/2023-24 dated 09.06.2023, lodged before the Court of Presiding Officer(Special), Economic Offences, Civil Court, Patna for the offence committed under Sections 135(1)(a) and 135(1)(b), and punishable under Section 135(1)(i)(A) of the Customs Act, if they are not required in any other case, on such terms and conditions that may be imposed or deem fit by the Trial Court, including the condition that the appellants shall deposit their passport with the Trial Court and give their correct addresses and contact numbers on affidavit. They shall also co-operate with the Trial Court in concluding the trial expeditiously."***

4. Pending application(s), if any, shall stand closed.

(NISHA KHULBEY) **(MAMTA RAWAT)**
SENIOR PERSONAL ASSISTANT **COURT MASTER (NSH)**
(signed order is placed on the file)