Case No :BA 0000049/2015

Party Name : PRADIP DEB Vs THE STATE OF TRIPURA

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA

This petition for grant of bail by the accused has been filed in respect of Bishalgarh Police Station Case No.135 of 2014 *[re-numbered as Special Case No.1(PC Act) of 2014]* dated 19.9.2014 registered under Sections 409/468/471/34 of IPC.

2. The prosecution case, allegedly, is that there was a huge financial scam in Bishalgarh Block. Shri Bimal Chakraborty was the Block Development Officer(B.D.O) of the said Block and various other persons were working under him. It is alleged that various projects, to be implemented under the MGNREGS, PDF, TFC etc., were being undertaken and funds meant for utilization in these Schemes were misutilized.

3. This is a huge scam which has taken place in the State. As far as the present bail application is concerned, there is more than one charge sheet filed against the petitioner all arising out of the same FIR. I have gone through all the charge sheets. It is alleged that the works for which payment have been made were not at all undertaken but the implementing officer raised the bills and the BDO in question sanctioned payment of the bills.

4. The petitioner is a businessman. He has an electrical shop and does work of a contractor. Admittedly, he had nothing to do with any of the schemes from which payment was made to him. In the charge sheets it has been stated that though no work was undertaken but Government money was siphoned out and paid to the petitioner Sri Pradip Deb. It is also alleged that he had made some supplies of air conditioners etc. in the residence of the BDO and these payments were made for the material supplied. It is contended on behalf of the petitioner that he had done some work of electricity and payments were made to him for that work and therefore, he is not guilty.

5. The petitioner who is a business man is expected to ensure that payments which are made to him come out of legal sources. At this stage, I am not going into the merits of this case but the fact remains that the petitioner had nothing to do with any of the schemes i.e. MGNREGS, PDF, TFC etc. He had no business of receiving any money under these schemes. Investigation has to be carried out with regard to other payments where also the petitioner may be involved and at this stage, it cannot be said with certainty that he is totally innocent.

6. Therefore, I find no merit in the bail application which is, accordingly, rejected at this stage.