

15.06.2023

Sl. 10

Court No. 29

Sourav

(Rejected)

C.R.M. (DB) 2008 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with CBI Reference Case No. **RC 0102022A0004 (R.C. 4 of 2022)** dated **18.05.2022** under Sections **120B/420** IPC and Section **7** of the Prevention of Corruption Act.

And

In the matter of: **Abdul Khalek**

....petitioner.

Mr. Shekar Kumar Basu, Sr. Adv
Mr. Krishnendu Banerjee
Md. Idrish
Mr. Pallab kanjilal
Ms. Jahanara Begum

...for the petitioner.

Mr. Kallol Mondal
Mr. Arijit Majumdar

...for C.B.I.

1. Heard learned Counsel for the parties.
2. The petitioner who is a clerk now superannuated on attaining the date of retirement has been implicated in the aforesaid offences, no doubt, on the basis of statement of co-accused Abu Tahir, but in course of raid in the office of the present petitioner, a document alleged to have been given to him by Shanti Prasad Sinha, the then Chairman of West Bengal Central School Service Commission came to be seized, in which some names were proposed for appointment as teachers for different classes.
3. Learned Counsel for the CBI submits that the aforesaid document is verified to have been in the handwriting of aforesaid Shanti Prasad Sinha. Almost all the candidates who were in contact with the present petitioner for their appointment, in their statement recorded under Section 161

Cr.P.C. have stated that the petitioner had demanded heavy amount from them to show them the favour.

4. In view of the aforesaid fact, the present case does not remain to be one of implication on the basis of statement of co-accused. We, however, loath to show leniency in the matter of corruption when such corruption has a societal impact like the present one polluting the entire system of a department.
5. Though charge-sheet has already been filed, we do not feel persuaded to exercise our discretion in favour of the petitioner at this stage.
6. Accordingly, the prayer for bail is rejected.
7. The application being **CRM (DB) 2008 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

