

31.08.2023
Sl. No.18
akd
[Rejected]

C. R. M. (DB) 3243 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.08.2023 in connection with RC-2 of 2022 arising out of CBI/ACB, Kolkata Case No. RC 0102022A0002 dated 05.04.2022 under Sections 120B/420/468/471 of the Indian Penal Code read with Section 7 of the Prevention of Corruption Act, 1988.

And

In Re: ***Prasanna Kumar Roy @ Rakesh***

... .. Petitioner

Mr. Anirban Guha Thakurta
Mr. Sujan Chatterjee
Mr. Debayan Mukherjee

... .. for the petitioner

Mr. Kallol Mondal
Mr. Amajit De
Mr. Arijit Majumder

... .. for the CBI

1. It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. It is further submitted petitioner was neither named in the FIR nor in the initial charge sheet. No public servant has been arrested. Accordingly, he prays for bail.
2. Report is placed on record.
3. Learned Advocate for the CBI opposes the prayer for bail and submits a number of cases were registered with regard to a scam in appointment of teachers and Group-D staff through School Service Commission (SSC) in Government and Government aided schools. Petitioner was the principal agent who induced various aspiring candidates to hand over illegal gratification to public servants on the assurance of giving employment. In this manner, he has amassed unaccounted wealth disproportionate to his own source of income.
4. We have considered the materials on record including the report filed by the CBI. Present case was registered in connection with a

scam regarding appointment of Group-D staff through School Service Commission in Government and Government aided schools. Statements of the aspiring candidates show they had paid money to the petitioner on the assurance that they would be given appointment. These materials disclose involvement of the petitioner in the alleged crime. Public servants including one Santi Prasad Sinha, Advisor to the School Service Commission, has been arrested in other criminal cases involving similar allegations. It is open to the Investigating Agency to show him arrested in the present case.

5. In view of the nature of crime involving brazen acts of corruption in matters of public employment, active role played by the petitioner therein and as further investigation is in progress, we are not inclined to grant bail to the petitioner at this stage.
6. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)