

31.08.2023.
35.
Ct.No.28
as
(Rejected)

C.R.M. (DB) 3415 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with RC-3 of 2022 arising out of CBI/ACB Kolkata Case No.RC 0102022A0003 dated 07.04.2022 under Section 120B of the Indian Penal Code read with Sections 109/201/420/467/468/471 of the Indian Penal Code read with Sections 7/7A/8 of Prevention of Corruption Act, 1988 (as amended by Prevention of Corruption (Amendment) Act, 2018).

In the matter of : Sri Prasanna Kumar Roy @ Rakesh.
... Petitioner.

Mr. Anirban Guha Thakurta,
Mr. Sujan Chatterjee.

...for the Petitioner.

Mr. Kallol Mondal,
Mr. Amajit De, Spl. P.P.,
Mr. Arijit Majumdar.

...for the CBI.

1. Petitioner is in custody for 370 days. 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. 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 Assistant Teachers for class IX and X through School Service Commission (for short SSC) in Government and Government aided school. Petitioner was the principal agent who induced various aspiring candidates to hand over illegal gratification for public servants and assured them of employment. In this manner, he has amassed 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 Assistant Teachers for Class IX and X through SSC in Government and Government aided schools. Statements of the aspiring candidates show they had paid money to the petitioner on the assurance they would be given appointment. These materials disclose involvement of the petitioner in the alleged crime.

5. In view of the nature of crime involving brazen acts of corruption in matters of public employment and 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. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)