

15.09.2023

Item No.50

Ct.No.34

dc.

C.R.M. (SB) 256 of 2022
with
C.R.A.N. 1 of 2023

In Re : An Application for relaxation of condition of bail being
CRAN 1 of 2023.

And

In Re : **Apurba Kumar Roy** ... Petitioner.

Mr. Arnab Chatterjee,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose ... For the Petitioner.

Mr. Bidyut Kumar Roy,
Ms. Rita Datta ... For the State.

The present application being CRAN 1 of 2023 is for relaxation of condition of bail which was granted by this Court on 04.11.2022.

The certified copy of the evidence of the victim girl be retained along with the records of the case.

Report dated 29.08.2023 submitted by Ms. Rita Datta, learned advocate appearing for the State be kept on record.

Earlier this Court by an order dated 04.11.2022 was pleased to record the following :

“I have considered the materials in the case diary and I am of the opinion that although the petitioner’s requirement in custody may not be warranted in this case for the present, but invoking the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, I direct that the petitioner shall not be allowed to join as Headmaster of the school because of

his conduct as is appearing from the Whatsapp text, the same reflects that his continuation as Headmaster of a girls' school is disastrous to the society. He will only be allowed to join provided he is able to prove that the Whatsapp text relied upon by the State (which is available in the case diary) was not forwarded by him."

The other conditions which were imposed are that (i) the petitioner would meet the Investigating Officer of the case once a week till submission of the charge-sheet and (ii) the petitioner would once in a fortnight attend the learned Special Court irrespective of the fact whether any date has been fixed by the learned Special Court or not and obtain acknowledgement from the office of the learned Special Court. Both these conditions which were imposed in the order dated 04.11.2022 are hereby waived.

The petitioner may be allowed to join the school after completion of the usual formalities.

Accordingly, CRAN 1 of 2023 is disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)