

21.12.2023
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allowed

CRM(DB) No. 4684 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 34 of 2023 dated 19.01.2023 under Sections 419/420/465/466/468/471/120B/409 of the Indian Penal Code.

And

In Re : Animesh Tewari Petitioner

Ms. Chandrima Debnath

....for the petitioner

Mr. Debasish Roy, learned PP

Mr. Rudradipta Nandy, learned APP

Ms. Debjani Dasgupta

.... for the State

1. Learned Counsel for the petitioner submits he had been appointed in the school as an Assistant Teacher in 2019. Subsequently his appointment was found to be false. He is ready and willing to refund his salary. He prays for bail.

2. Learned Counsel for the State opposes the bail prayer and submits petitioner is a beneficiary of a deep-rooted racket in selling jobs in schools.

3. We have considered the materials on record. Allegations are very serious. Various public servants had entered into a conspiracy to illegally appoint individuals as teachers in schools for valuable considerations. Petitioner is one such candidate who had been taken advantage of the institutionalised corruption by the public servants. One of the said public servants viz. former District Inspector of Schools has been enlarged on bail by the Sessions Court. Keeping in mind the aforesaid circumstance and extent of involvement of the petitioner

in the crime who being an unemployed youth had fallen to the lure of corrupt practice, we are inclined to grant bail to him.

4. Accordingly, we direct that the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under NDPS Act Berhampore, Murshidabad, subject to conditions that petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

5. In the event the petitioner fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

6. The application for bail is, accordingly, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)