

08.01.2024
Sl. No.20
akd
[ALLOWED]

C. R. M. (DB) 4647 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.12.2023 in connection with CBI/ACB Kolkata Case No. RC0102022A0003 dated 07.04.2022 under Sections 120B/109/201/420/467/468/471 of the Indian Penal Code read with Sections 7/7A/8 of the Prevention of Corruption Act, 1988.

And

In Re: ***Pradip Singh @ Chotu***

... .. Petitioner

Mr. Anirban Guha Thakurta
Mr. Sujan Chatterjee
Mr. Sanat Kr. Das
Ms. Nayana Mitter
Ms. Suparna Sinha

... .. for the petitioner

Mr. Amajit De

... .. for the CBI

1. It is submitted on behalf of the petitioner that he is in custody for over 502 days. Co-accused viz. Prasanna Kumar Roy @ Rakesh has been enlarged on bail by the Hon'ble Apex Court. Accordingly, he prays for bail.
2. CBI submits report with regard to the complicity of the petitioner in the crime. The said report be kept with the record.
3. We have considered the materials on record. Allegations involve a deep rooted conspiracy between officials in the School Service Commission including the Minister-in-charge to tamper with OMR sheets and provide employment to undeserving candidates in the post of Assistant Teachers in schools. Petitioner is not an employee of the West Bengal School Service Commission. It is alleged that he had collected monies on behalf of co-accused viz. Prasanna Kumar Roy @ Rakesh who is a local leader and had dishonestly promised jobs to unemployed youth for illegal gratification. Co-accused viz.

Prasanna Kumar Roy @ Rakesh has been enlarged on bail by the Hon'ble Apex Court. Sanction has not been obtained with regard to the public servants who have been charged in the case. Further investigation is in progress. There is no possibility of trial commencing in the near future.

4. Under such circumstances and in view of the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary and he may be enlarged on bail however, subject to strict conditions.
5. Therefore, the accused/petitioner, namely **Pradip Singh @ Chotu**, be released on bail upon furnishing a bond of Rs.50,000/- (Rupees Fifty thousand only), with two sureties of Rs.25,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Alipore, South 24-Parganas subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever or commit similar offences in future and on further condition that the petitioner, while on bail, shall not leave the territory of the State of West Bengal without prior permission of this court and shall report to the Investigating Officer once in a week until further orders. Prior to his release on bail, he shall deposit his passport, if any, to the trial court.
6. In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.
7. The application for bail, thus, stands allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

