

01.05.2025

Item No.36

Ct.No.34

rc.

C.R.M. (DB) 869 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Suti Police Station Case No. 80 of 2024 dated 30.01.2024 under Sections 467/468/471/420/409/201 of the Indian Penal Code and Sections 7(a)/8/11/12/13/14 of the P.C.Act.

And

In Re : **Asis Kumar Tewari**

... Petitioner

Mr. Sandipan Ganguly
Mrs. Priyanka Sarkar
Mr. Jisan Iqbal Hossain

... for the Petitioner

Mrs. Amita Gaur
Mr. Prakash Mishra

... for the State

The petitioner is in custody for more than a year and prays for bail.

Learned counsel for the petitioner submits that the petitioner is the headmaster of the school and though allegation against him is that he has given appointment to the persons concerned on the basis of fake recommendations, such recommendations were sent to the District Inspector of Schools and the Managing Committee who also approved the same. The appointments were made in 2011 and 2013. In 2022 the petitioner filed a complaint before the District Inspector of Schools stating that the recommendation submitted by Abdul Rakib was not in fact issued in his favour by the Board. A recommendation issued

in favour of some other person was used by the job aspirant to procure the job. The headmaster has no role to play in confirmation of the appointment of the employees.

Opposing the prayer, learned counsel for the State submits that the investigation of the cases of similar nature as the present one was made over to the CID, State of West Bengal by a coordinate Bench of this Court pursuant to which the present case is also being investigated by the CID. Supplementary charge sheet is yet to be submitted upon completion of further investigation. Sufficient incriminating material has transpired against the petitioner from the statement of witnesses recorded in course of further investigation.

I have considered the material on record which prima facie implicates the petitioner in the alleged offence. Investigation is in progress.

In view of the above, prayer for bail is rejected at this stage.

The application is disposed of.

Case Diary is returned.

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

(Suvra Ghosh, J.)