

12.06.2025

Item No.04

Ct.No.34

rc.

Allowed

C.R.M. (M) 196 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 Bankura Sadar Police Station Case No. 428 of 2023 dated 02.12.2023.

And

In Re : **Santi Prasad Singha**

... Petitioner

Mr. Manjit Singh

Mr. Uttam Kumar Shaw

Mr. Arkaprabho Roy

Mr. Biswajit Mal

Mr. Soujanya Pattanayak

... for the Petitioner

Mr. Debasish Roy, Ld. P.P.

Mr. Anand Kesari

Mr. Raju Mondal

... For the State

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner is aged about seventy five years and is in custody for one year and four months. Though charge sheet has been submitted against the petitioner on April 14, 2024 sanction for prosecution against him under Section 197 of the Code of Criminal Procedure has not been accorded till date. By order dated May 19, 2025, the Principal Secretary, School Education Department, Bikash Bhavan was requested to submit a report with regard to whether such sanction would be accorded for prosecuting

the petitioner. No such report is placed on record. Some of the co-accused are on bail.

Learned counsel for the State opposes the prayer for bail.

Charge sheet has been submitted. The case is based on documentary evidence which is in custody of the investigating agency. It is not known when sanction under Section 197 of the Code of Criminal Procedure shall be granted for prosecuting the petitioner or whether the same shall be granted at all. Under such circumstances, this Court does not find any reason to keep the petitioner behind the bar any further.

Accordingly prayer for bail of the petitioner is allowed.

The petitioner **Santi Prasad Singha**, be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Bankura subject to condition that he shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions mentioned above without justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is, thus, disposed of.

Case Diary be 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.)