

01.09.2025

Item No.07

Ct.No.34

rc.

Allowed

C.R.M. (M) 849 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 Tamluk Police Station Case No. 185 of 2025 dated 06.03.2025.

And

In Re : **Ayan Kumar Das**

... Petitioner

Mr. Milon Mukherjee

Mr. Smartajit Sarkar

... for the Petitioner

Mrs. Anasuya Sinha

Mr. Sachit Talukdar

... for the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for 175 days and prays for bail. It is alleged that the petitioner was appointed as an Assistant Teacher vide appointment letter dated October 23, 2009 for rendering honorary service as a work education teacher until final approval of his appointment by the competent authority. By an appointment letter allegedly issued on December 31, 2018, his appointment was approved on admissible salary. Learned counsel submits that the appointment letters were issued by the District Inspector of Schools through the Administrator of the school and the petitioner, besides being a beneficiary of service in the school, has no role to play herein.

Learned counsel for the State opposes the prayer and submits that no appointment letter was issued in favour of the petitioner either in 2009 or in 2018 and the petitioner was not seen to attend the school during the entire period. He is the beneficiary to the alleged offence and has also not produced documents of his educational qualification before the authority.

I have considered the material on record. It appears that the petitioner was allegedly appointed as an honorary Assistant Teacher in work education by an appointment letter purportedly issued on October 23, 2009 and his appointment was approved on admissible salary by an appointment letter issued on December 31, 2018. The District Inspector of Schools has stated that the appointment letters were not issued by him and his signatures were forged therein. The appointment approvals were sent to Administrator of the school who in turn, issued the appointment letters on the basis of the same. The then Administrator/ Headmaster, Ashok Kumar Hatua has been implicated by the witnesses in course of investigation. No financial benefit appears to have been received by the petitioner from 2009. It also prima facie appears that the petitioner was not found to have attended the school since 2009. Charge sheet has been submitted. The case is based on documentary evidence which is in custody of the Investigating Agency. Considering the material on record and extent of complicity of the petitioner in the alleged offence,

this Court is of the view that further detention of the petitioner is not required and he may be released on bail.

Accordingly prayer for bail is allowed.

The petitioner **Ayan Kumar Das**, 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, Purba Medinipur 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 appear before the learned trial Court on any date 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.

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

(Suvra Ghosh, J.)