

17.09.2025

Item No.09

Ct.No.34

rc.

Allowed

C.R.M. (M) 1393 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 Police Station Case No. 428 of 2023 dated 02.12.2023.

And

In Re : **Ashok Kumar Saha**

... Petitioner

Mr. Arindam Sen

Mr. Saurav Basu

Mr. Asit Bera

... for the Petitioner

Mrs. Zareen N. Khan

Mr. Subham Bhakat

... for the State

Heard learned counsels for the parties.

The petitioner is in custody for more than a year and renews his prayer for bail.

Learned counsel for the petitioner submits that other co-accused have been granted bail and only the petitioner is languishing in custody.

Learned counsels for the State opposes the prayer. Learned counsel submits that the petitioner has been shown as arrested in the present case and another case is pending against him.

Bail prayer of the petitioner was turned down by this Court on February 07, 2025. The petitioner appears to be

part of the conspiracy in illegal appointment of teachers and staff in various schools of the State of Bengal. The co-conspirators have been granted bail by this Court earlier. Charge sheet has been submitted. The prosecution proposes to examine thirty one witnesses. Witness action is yet to commence. There is little possibility of trial being concluded in near future.

Striking a balance between the period of incarceration of the petitioner and the stage of trial, this Court is inclined to hold that further detention of the petitioner is not required and he may be released on bail subject to stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner **Ashok Kumar Saha**, 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 remain within the jurisdiction of the learned trial Court and shall furnish the address where he shall presently reside before the learned trial Court, Investigating Officer and the Officer in Charge of the concerned police station under whose jurisdiction he shall henceforth reside. 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 adhere to 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.)