

10.09.2025

Item No.16

Ct.No.34

rc.

Allowed

C.R.M. (M) 1395 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 : **Pulakesh Maity**

... Petitioner

Mr. Apalak Basu

Mr. Tirthankar Dey

Mr. Shuvam Kanjilal

Ms. Ria Naskar

... for the Petitioner

Mr. Anand Keshari

Mr. Sobhan Gani

... for the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is in custody for more than 100 days and prays for bail.

Learned counsel for the petitioner submits that the petitioner was a Lower Division Clerk at the District Inspector of Schools' office at the relevant time and has no nexus with the alleged offence. He has not named in the FIR. His only role was to upload the documents of the candidates including approval of appointment letter in the portal upon verification of the same following which the candidate's name would appear in the pay roll of the system.

Learned counsel for the State opposes the said prayer.

I have considered the material on record. The petitioner appears to have been an employee at the District Inspector of Schools' office and was responsible for uploading the documents related to appointments in schools in the official portal upon verification of the same. He was not named in the FIR. His name was transpired in course of investigation. Charge sheet has been submitted. The case is based on documentary evidence. Whether the alleged uploading done by the petitioner was upon verification of the documents which were not found to be genuine shall be assessed at the appropriate stage of the proceedings. The petitioner is in custody for more than 100 days. His further detention is not required for the purpose of custodial interrogation.

Accordingly prayer for bail is allowed.

The petitioner **Pulakesh Maity**, 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.)