

Item No.12

Ct.No.34

rc.

Allowed

C.R.M. (DB) 72 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. 96 of 2024 dated 09.02.2024 under Sections 420/467/468/471/409 of the Indian Penal Code and Sections 7(a)/8/11/12/13/14 of the Prevention of Corruption Act.

And

In Re : **Abdur Rahid @ Kiron** ... Petitioner

Mr. Usuf Ali Dewan
Mr. Asif Dewan ... for the Petitioner

Mr. R. Nandy ... For the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner being an unemployed youth had fallen prey to the corruption, being lured of a government job. He was issued an appointment letter by the headmaster of the school on the basis of a fake recommendation which was in fact in the name of an eligible candidate. Charge sheet has been submitted. His further detention is not required. He prays for bail.

Opposing the prayer, learned counsel for the State submits that though the headmaster of the school Asis Kumar Tewari issued appointment letters to three persons including the petitioner herein, it appears from the

statement of witnesses that the petitioner carried all the relevant documents pertaining to the said appointments to the house of the headmaster on his instruction. He was hand in gloves with the headmaster in the alleged crime.

I have considered the material on record.

The petitioner appears to be an unemployed youth who was lured into the government job by the headmaster of the school. The main thrust of the allegation is against the headmaster Asis Kumar Tewari. Though the petitioner may have been a beneficiary to the act of the headmaster he cannot be prima facie said to be on the same footing with the principal accused whose bail was turned down by this Court. The case is based on documentary evidence which is in custody of the prosecution. Charge sheet has been submitted. The concerned authority may initiate appropriate proceedings against the petitioner for recovery of the money obtained by the petitioner by virtue of his employment on the basis of fake and forged documents. Further detention of the petitioner, however, is not required and he may be granted bail.

Accordingly, prayer for bail of the petitioner is allowed.

The petitioner **Abdur Rahid @ Kiron** 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, Berhampore, Murshidabad subject to condition that he shall furnish his mobile number before the

learned trial Court and the concerned Investigating Officer and shall not change the same without prior intimation to them. The petitioner 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 as 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.)