

23.02.2026
Court No.35.
D/L. 258
(PA)
(Rejected)

CRM (M) 119 of 2025

With
CRAN 1 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 CBI Case No. RC0102024A0007 dated 24.08.2024 under Sections 120B/420/409/467 of the Indian Penal Code and Sections 7/13(1)(a) of the Prevention of Corruption Act.

And

In the matter of : Suman Hazra.

.....Petitioner.

Mr. Sabyasachi Banerjee Sr. Adv,
Mr. Abhra Jena
Ms. Nahid Ahmed

.....for the Petitioner.

Mr. Rajdeep Majumdar, Ld. DSGI
Mr. Amajit De, Special PP, CBI
Ms. Arushi Rathore

.....for the CBI.

Learned Senior Advocate appearing for the petitioner submits that the petitioner was falsely implicated in connection with the instant case on the accusation of entering into a criminal conspiracy with the Principal of R.G. Kar Medical College and Hospital and for violation of norms and rules relating to supply of items/services in respect of quotation/tender for the purposes of obtaining undue benefit to different firms belonging to him.

It was pointed out on behalf of the petitioner that in course of investigation, the Investigating Authority failed to collect any evidence to connect the present petitioner with any of the firms

namely, M/s. Soumya Enterprise, M/s. Maa Enterprise, M/s. Majumdar Enterprise, M/s. New Blue Print and M/s. Samanta Wholesale and foisted a criminal case associating the petitioner with the aforesaid firms.

The petitioner was never involved in any illegal work order/supply order which was issued in favour of M/s. Hazra Medical and M/s. Hazra Medical Agency. Petitioner participated in open tender as all other firms or companies and was a successful bidder and became eligible being the lowest bidder. Petitioner had no role in the process of obtaining the work orders and the entire accusation has been bolstered against him by the Investigating Agency. The accusation of proxy quotations are without any supporting documents and the process for rigging the quotation was a hoax as tenders of more than Rs.10,000/- to Rs. 1,00,000/- was by way of open tenders, wherein innumerable number of participants joined the process and it was impossible to pick and choose a particular firm from the huge number of participants who joined in the process.

Petitioner is the owner of M/s. Hazra Medical and M/s. Hazra Medical Agency and has no association with the other firms named above. There are no documents to suggest that the proxy firms belong to the petitioner or any of his front persons. The accusation that the friends of the petitioner were associated with the proxy firms are without any documentary evidence.

It has also been contended on behalf of the petitioner that there are multiple bills wherein the store in charge acknowledged

the bills as also the delivery of the goods. The accusations that the store in charge was unaware of the supply of the items in respect of the work orders particularly on frivolous bills, are unsubstantiated when the account section reimbursed the amounts. At any point of time, the petitioner was not responsible for any financial loss suffered by the institution and it was only on the satisfaction of the store in charge and proper documentation on receipt of goods of proper quality, the bills were forwarded to the account's section.

Petitioner being associated with M/s. Hazra Medical is in business for a considerable time and had been supplier of Calcutta National Medical College and Hospital since 2016 - 2017. Petitioner continued his business with the said institution and the same was even after the Principal, Sandip Ghosh left the institution. The issue relating to splitting up of tender as alleged by the Investigating Agency was a matter of policy decision over which the petitioner did not have any control and the Health Department of the Government of West Bengal was aware as there was continuous audit process in respect of purchase and supply to the said institution.

Petitioner denies of having received 70% of the work order at R.G. Kar Medical College and Hospital, it was been emphasized that out of total work orders valued at more than Rs. 20 Crores, the petitioner has received work orders restricted to Rs. 86 Lakhs. Petitioner has been falsely implicated in connection with the instant case and there is no reason to detain the petitioner as

whole of the case is based on documents. There are no iota of materials to suggest also that the petitioner is influential and as such, he may be released on bail.

Learned DSGI opposing the prayer for bail submitted that the petitioner was thickly involved in the alleged offence of corruption as well as loss suffered in the Government exchequer by manipulation of the tender process. Petitioner is influential as he has been successful for a considerable period of time to carry out his mission of supply of inferior quality of goods at an overpriced tag. Petitioner is influential as inspite of information furnished and a case being registered being Tala Park Police Station Case No. 62/2024, there was no progress in the said case and it was only after CBI being handed over with the investigation, evidence surfaced regarding the complicity of the present petitioner, his association with the Principal of the College and the corruption involved.

Learned DSGI has also referred to the specific allegation against the petitioner which is in the form of a charge and reads as follows:

“Suman Hazra being private person entered into a criminal conspiracy with Sandip Ghosh and in furtherance of the said conspiracy and in violation of laid down norms and rules regarding supply of items/services through quotation/tender caused undue benefit to different firms which were part of cartel under their control. In order to execute the objective of said conspiracy, they prepared and used forged documents and cheated the Government by using these documents as genuine. Suman Hazra also

supplied items at exorbitant price, by way of rigging the whole quotation process. The accused Biplab Singha and Suman Hazra operated a cartel and by way of forging documents did not allow competitive bidding for items to be procured at RGKMCH-during the period 2021 to 2024 and thereby cheated the Government to the tune of Rs 6.7 Crores approximately.

The aforesaid acts of the accused constitute offences punishable under sections 120B, 409, 420, 468, 471 of IPC read with sections 7, 13(2), 13(1)(a) of PC Act, 1988 (as amended by the Prevention of Corruption (Amendment) Act, 2018) and substantive offences u/s 420, 468 and 471 of IPC.”

I have taken into account the fact that the trial of the case has commenced, number of vulnerable witnesses are to be examined, few of the vulnerable witnesses have already been examined but because of other accused person being brought in within the ambit of law there is a delay. The nature of the offence complained of in this case relates to Government money being disbursed by the Health Department for the purposes of rendering services to the poor people at large. There are materials which have been collected by the investigation which are subject to be tested at dock.

Petitioner had been carrying on business within the campus of R.G. Kar Medical College and Hospital. There are number of witnesses who are associated with the Hospital itself. There are other witnesses who are associated with similar nature of

business and there are witnesses who are poor vendors and are susceptible to succumb to any sort of influential pressure.

Having considered the stage of the case, the sensitivity involved, the accusations relating to corruption including charges of misappropriation of Government funds assigned for the poor people, I am of the opinion that at this stage it would not be fit and proper to release the petitioner.

Accordingly, the prayer for bail of the petitioner in **CRM (M) 119 of 2025** is **rejected**.

Pending applications if any are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)