

01.07.2026

Item No.461

Ct.No.35

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1110 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with FIR No. RC0102024A0007 corresponding to RC 07/2024, Computer Registration No. 45/2024 dated 24.08.2024 under Section 120B of the Indian Penal Code read with Sections 409/420/468/471 of the Indian Penal Code and Sections 7/13(2)/3(1)(a) of Prevention of Corruption Act, 1988 [as amended by the Prevention of Corruption (Amendment) Act, 2018] and in connection with charge-sheet submitted under Section 420 of the Indian Penal Code and Sections 7/13(2)/13(1)(a) of Prevention of Corruption Act, 1988.

And

In Re : **Dr Ashish Kumar Pandey**

... Petitioner.

Mr. Prabir Kumar Mitra, Sr. Adv.,
Mr. Pinak Kumar Mitra,
Ms. Ankita Dutta,
Ms. Sudarshana Srivastava

... For the Petitioner.

Mr. Dhiraj Trivedi, Ld. DSG,
Mr. Amajit De, Spl. PP, CBI

... For the CBI.

Petitioner is a doctor of tender age who has been implicated in connection with the instant case on accusation of being hand in gloves with certain functionaries of R.G. Kar Medical College and Hospital in respect of appointment of house staff and for receiving Rs.15,000 and odd from other students/house staff doctors. According to the learned senior advocate appearing for the petitioner, there are 169 witnesses on whom the prosecution has relied upon and till date, only 5 witnesses have been examined. The trial, as

such, will consume substantial period of time, so the petitioner may be released on bail.

Learned DSG appearing for the CBI opposes the prayer for bail on the issue that charges have been framed under the relevant provisions of the Indian Penal Code as well as the Prevention of Corruption Act. According to the CBI, petitioner was not an ordinary student, but had a clout over the administration of the said Medical College and Hospital which allowed him to manipulate the appointment list relating to house staff appointment. There are accusations of conspiracy with the other functionaries who are accused in the present case and there are vulnerable witnesses who are yet to be examined by the prosecution.

I have taken into account the principal submissions advanced by the learned senior advocate for the petitioner as also that of the CBI. The genesis of the present case was on the basis of an order passed in a writ petition by one Akhtar Ali wherein the CBI was entrusted to conduct the investigation and unearth regarding the accusations of corruption at the R.G. Kar Medical College and Hospital. There are many facets of investigation which were discovered by the investigating agency in course of investigation which included supplies to the hospital and siphoning of amount by way of materials which were supplied and bills raised as also materials which were not supplied and bills were raised. There were allegations of fake bills being raised, bills being inflated and different modes adopted for siphoning funds from the hospital. To that effect, some of the

officials/functionaries of the said hospital have been arrested including the suppliers.

So far as the case of the present petitioner is concerned that is separate from the other accused persons. The conspiracy for which the petitioner has been implicated or charged for the present offence relates to receipt of a sum of Rs.15,000/- from students/house staff doctors as also manipulation regarding the recruitment list of the house staff.

Having considered the aforesaid series of facts where each of the accused has been charged in the case for independent offences as also conspiracy and this Court having considered the conspiracy for which the petitioner has been charged is of the opinion that the petitioner being released on bail may not jeopardize the trial. As such, without further entering into the merits of the case, I am inclined to enlarge the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Dr Ashish Kumar Pandey** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the jurisdictional Trial Court.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not enter the jurisdiction of Kolkata Metropolitan Development Authority except for the limited purposes of attending the judicial proceedings.

If for exceptional reasons, petitioner intends to enter Kolkata, petitioner would seek permission of the learned Trial Court and adhere to the directions of the learned Trial Court.

The application for bail, being CRM (M) 1110 of 2026, is, thus, disposed of.

All concerned 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.)