

**Present : Hemanta Sinha**  
**Additional Sessions Judge**  
**1st Court, Tamluk**

T.R (409)- 04 of 2024  
Reg no. 04 of 24  
CNR No. WBEM010034302024

**Order no. 12 dt. 06-06-2024.**

Today is fixed for consideration of charge and production of the accused persons.

Accused Asok Kumar Hatua on C.B , is present by filing a fresh vokalatnama. This accused also files a petition along with sworn affidavit in compliance of the order of Hon'ble High Court, Calcutta passed in CRM (DB) 1501 of 2024, of the said order regarding the present address of this accused mentioned in the point no. 3 of the said order.

Copy served. Let the same be kept with the record.

The other two accused persons are produced from the J.C. They are taken into custody and remanded to J.C till next date.

Accused Chapeswar Sardar files a petition praying for bail on the ground stated therein.

Accused Suvendu Hatua files another petition u/s 227 of the Cr.P.C with a prayer for discharging him from this case on the ground stated therein. Copy served. Objected to.

Now the petition for bail of the accused Chapeswar Sardar is taken up for hearing.

Ld. Advocate for the accused persons and the Ld. PP in charge – are present.

Heard both sides. Perused the materials on record.

Ld. Advocate for the accused Chapeswar Sardar prays for bail submitting that the accused is a diabetic patient who needs to be treated properly and in support of his contention he files some xerox copies of treatment sheets of this accused . Ld. Advocate further submits that the co accused namely Asok Kumar Hatua is already on bail and this accused is in J.C since 11-01-2024. Ld. Advocate further submits that the C.S has already

been submitted. So there is no question of tampering prosecution witnesses. Ld. Advocate prays for bail of this accused on any condition.

Ld. PP in charge raises vehement objection against the prayer for bail of this accused submitting that this accused was a D.I of School, Purba Medinipur at the relevant point of time and he inspired the other accused person i.e Asok Kumar Hatua who was the Administrator of Khamarchak High School to appoint the accused Suvendu Hatua illegally without following the existing recruitment rules.

On careful perusal it appears that the C.S has already been submitted against the accused persons u/s 406/409/419/420/466/467/474/468/477(A)/120B of the IPC. It also appears that in compliance with the order of Hon'ble High Court, Calcutta passed in WPA no. 24451 of 2022 in

the matter of Soma Roy and State of West Bengal and others, the present D.I of School (S.E), Purba Medinipur namely Subhasis Mitra lodged a complaint against he accused persons alleging that the accused persons Asok Kumar Hatua in conspiring with Chapeswar Sardar, the then D.I (S.E) of School and the accused Suvendu Hatua, illegally appointed the accused Suvendu Hatua by violating the prevailing recruitment rules of appointment. The then D.I of school (S.E), Purba Medinipur i.e the accused Chapeswar Sardar accorded approval of appointment of the accused Suvendu Hatua as Assistant Teacher in Computer Application in Khamarchak High School vide Memo no. 873-S dt. 15-06-2018 and on the basis of said appointment the accused Suvendu Hatua had been serving in Khamarchak High School as Assistant Teacher in Computer Application and he was paying salary regularly by opening service book and lacks of amount was paid to the accused Suvendu Hatua as salary illegally which tantamount to criminal breach of trust.

Having heard the submissions of both sides and considering the materials on record and the nature of the offence, I am not inclined to allow the prayer for bail of this accused at this stage.

Hence the prayer for bail of accused Chapeswar Sardar stands **rejected**.

To **20-06-2024** for production of the accused persons, appearance of the accused and hearing of the petition u/s 227 of the Cr.P.C. W/O if any in the meantime.

Judge (Special Court)  
Tamluk Purba Medinipur