

S.C 131/2025

CNR no.WBHG01- 002269-2025

Order no.10 dated 29.07.2025

All the accused persons except Md. Mumtajul Islam @ Juel are produced physically before me from J/C. Accused Md. Mumtajul Islam @ Juel is produced through V.C mode.

One bail application is filed on behalf of the accused persons namely Hakim Mahammad and Golam Mustafa and another bail application for the accused Rowshan Zamal. Today is also fixed for the bail petition hearing of the accused Umar Faruque.

At this stage, one charge consideration prayer is filed on behalf of the accused Mansur Alam and Sahin Akhtar. Another petition is filed on behalf of the accused Umar Faruque and others u/s 230 of the BNSS.

The learned junior Advocate attached with the learned Special P.P. of this case is present before me. Learned Advocates for the accused persons are also present before me.

First the bail petitions are taken up for hearing.

Heard both sides present. Considered.

The learned Advocate for the accused person namely Hakim Mahammad and Golam Fustafa submits that the learned court may consider the detention period of the accused persons. As far as the accused Golam Mustafa is concerned, his son has recently expired. So, he should be granted bail on humanitarian ground. However, there are other cases pending against him. As regards the accused Hakim Mahammad is concerned, no case has been made out during investigation that he is a habitual offender. Only a sum of Rs.10,000/- was found credited in his account. The learned court may consider his long detention period in custody.

The learned Advocate for the accused Rowshan Zamal submits that the learned court may consider his long detention period in custody till date.

The learned Advocate for the accused Umar Faruque also submits that the learned court may consider his long detention period in custody.

The learned Advocates for the accused petitioners as above, commonly submitted that no case u/s 317(4) of the BNS has been made out against them. How the money of the eligible students were siphoned, is still a dilemma. If on bail, they will comply all the bail conditions, to be imposed upon them.

The learned junior Advocate attached to the learned Special P.P of this case submits that very recently the bail prayer of the accused persons namely Md. Mumtajul Islam @ Juel and Rowshan Zamal was rejected by the Hon'ble High Court at Calcutta vide CRM(M) 913 of 2025 dated 21.07.2025 and CRM(M) 100 of 2025 dated 23.04.2025. He further submits that very recently this learned court was pleased to reject the bail prayer of the accused persons namely Hakim Mahammad, Golam Mustafa (from the present accused petitioners). He further accentuated that repeated bail prayer without change of circumstances, is untenable in law and so, the bail prayer may be rejected on that ground against those accused petitioners. Now, he led me to the relevant pages of the CD and drew my attention to the incriminating materials lying against them. Detention in custody is no consideration as far as the seriousness of the offence is concerned. He further added with force that after the rejection of the bail prayer of the aforesaid two accused persons namely Rowshan Zamal and

Md. Mumtajul Islam @ Juel by the Hon'ble High Court, the accused persons should not be granted bail on the grounds as prayed for. The nexus in between them is underscored.

Now, let us dispose of the bail applications. I have carefully perused the materials lying in the CD as also the chargesheet submitted in the case. The accused persons in common nexus and live conspiracy had by creating fake portals by different IP addresses from different places siphoned all the monies to be provided to the student of different schools including the complainant school. In the process, the innocent students were targeted and who unknowingly uploaded their accounts details in 'Banglar Siksha Portal'. The young students were thereby cheated in the name of 'Taruner Swapner Scheme'. This learned court finds ample evidence in the CD as far as the allegations against the present accused petitioners is concerned. This learned court is surprised as to the manner in which the crime was committed.

Considering the above observations and the very gravity of the offence, bail should not be granted on the ground as prayer for. Accordingly, the bail prayer of the aforesaid four accused petitioners stand **rejected**.

Charge consideration matter is now pressed into service on behalf of the two accused persons namely Mansur Alam and Sahin Akhtar. The submission on their behalf is **fully supported** by the learned Advocates present for the rest accused persons **in toto**.

Heard both sides present. Considered.

In which section charge shall be framed against the accused persons, necessary order shall be passed on the next date fixed hereunder.

The petition u/s 230 of the BNSS is heard from both the sides. Considered.

To 02.08.2025 for passing necessary order in the matter of charge consideration and petition filed u/s 230 of the BNSS.

To 13.08.2025 for production of the accused persons.

Dictated & corrected by me

Additional Sessions Judge,
1st Court. Chinsurah
J.O Code no.WB00753

Additional Sessions Judge,
1st Court, Chinsurah.
J.O Code no.WB00753

No.

Date

Copy of order is forwarded to the learned CJM, Hooghly for his information and taking necessary action.

Additional Sessions Judge,
1st Court, Chinsurah.
J.O Code no.WB00753