

**S.C 131/2025**  
**ST 26(09)2025**

**CNR no.WBHG01-002269 -2025**

**later order no.01 dated 02.09.2025**

After the charge has been framed as above against all the eight accused persons, the bail petition respectively filed on behalf of the accused petitioners Umar Faruque, Md. Nishek Alam and Md. Mumtazul Islam @ Juel is moved before me.

Heard both sides present before me. Considered.

First, the learned Advocate present for the accused Umar Faruque submits that this accused is suffering detention in custody for around 276 days. He is the sole bread earner. He has been falsely implicated in this case. He has a widow mother alone in his house. He has never moved before the Hon'ble High Court seeking grant of bail. If on bail, he will comply all bail conditions.

Next the learned Advocate for the accused Md. Mumtazul Islam @ Juel submits that this accused is suffering detention in custody since 29.01.2025 for around 250 days. His P.C period was unfruitful. He is M.A (B.Ed). He has also been made victim of false implication. He has minor son of nascent age. He has old father at his home. Being sole bread earner of his family, in his absence, his family will ruin. The subscriber of the data connection was not he, but Sahaja Begum and e-mail id is also not his e-mail id. None of the victim students took his name having his involvement in the alleged offence. His nexus with the co-accused persons has not come in light during investigation. He has never used any IP address to access the bank details of the students. The plot P.O. is not owned by him. So, with the above facts and circumstances, he should be released on bail on any conditions.

Lastly, the learned Advocate for the accused Md. Nishek Alam submits that charge u/s 317(4) of the BNS and section 66/66D of the IPA cannot go together. He is made victim of false implication. Moreover, the learned court may consider his long detention period in custody.

It is commonly agitated that since charge is framed against all the accused persons today, the accused petitioners may be released on bail.

Now, the learned Advocate attached to the learned Special P.P of this case submits that as regards accused Md. Mumtazul Islam @ Juel, very recent rejection of the bail prayer by the Hon'ble High Court has been suppressed in the bail petition filed today and therefore, it shows that he has not come with clean hands. There are ample materials in the CD as against all the three accused petitioners. Charge has been framed in this case today and question of enlarging them on bail does not arise. This Hon'ble Court has also time and again rejected their bail prayers on merits after going through the materials in the CD. This is a fit case of custody trial of all the accused persons. The grounds on which the bail is prayed by the accused petitioners is untenable on the basis of factual evidence available in the CD.

Now, let us dispose of all the three bail applications.

It is correct that in the bail application filed on behalf of the accused Md. Mumtazul Islam @ Juel, there is no whisper as to his recent bail rejection order dated 21.07.2025 in CRM(M) 913 of 2025 by the Hon'ble High Court.

In the CD, I have found sufficient incriminating materials against them in framing the charge in the sections in which they were chargesheeted and accordingly, today the charge was framed against them together with other accused persons. On merits, their bail prayer was previously rejected by this learned Court and there is no fresh consideration to allow their bail prayer even today. They with others deserve to be tried by keeping them in custody. The manner they have bulldozed the scheme of the Government of West Bengal in the name of “**Taruner Swapner Scheme**” by accessing their bank details and deprived them from getting the fruits of the scheme and syphoning their deserved benefits for their illicit gains, they do not deserve clemency of bail. The grounds for bail as agitated by all the three accused petitioners is undeserving to release them on bail.

Considering all aspects and the nature and severity of the offence, the bail of all the three accused petitioners stands **rejected**.

To Date for evidence.

Dictated & corrected by me

Additional Sessions Judge,  
1<sup>st</sup> Court. Chinsurah  
J.O Code no.WB00753

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1<sup>st</sup> Court, Chinsurah.  
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