

**Special Case No. 22 of 2023**

**Order No. 35, dated 22.08.2024.**

Total accused persons =6.

Accused Sushil Barman and Ashis Kumar Tewari are produced from J/C. Three accused persons namely Anjana Majumder, Nitya Gopal Majhi and Animesh Tewari on CB are present by filing hazira. Accused Purabi Dey is absent by petition.

Ld. P.P. in-charge as well as Ld. Advocates for the accused persons are present.

Bail petition is filed on behalf of the accused person namely Sushil Kumar Barman.

Some documents as per firisti are filed on behalf of the prosecution.

Bail petition as filed on behalf of accused Sushil Kumar Barman is taken up for hearing.

It is contended on behalf of the accused person that the accused is in J/C for a considerable period of time without having any progress towards commencement of trial and no sanction order is filed by the prosecution till date. Thus, Ld. Advocate prays for bail of the accused Sushil Kumar Barman.

Ld. P.P. in-charge raises strong objection as to the prayer for bail and submits that the prosecution agency is trying to get the sanction order against accused Sushil Kumar Barman and they will submit the same as soon as they will receive the same.

Having heard the submission of both the sides and on going through the case record, it appears that this is a case under Sections 419/420/465/466/468/471/120B/409/467/201 of IPC read with Section 11 and 13 of P.C. Act. On different occasions the prayer for bail for the present accused person was rejected on the ground that the accused persons are the key persons to engineer the entire scheme and the present accused being the custodian of all the salary related papers and files of Animesh Tewari intentionally withheld those documents in collusion with the principal accused. The prayer for bail of the present accused has also been turned down by the Hon'ble High Court , Calcutta vide CRM (DB) 486/2024 on 21.02.2024. The documents submitted by the prosecution show honest trial on behalf of the prosecution to get the order of sanction from the Commissioner of School Education, West Bengal and the latter has not accorded the sanction yet.

Considering all these, I am not inclined to allow the prayer for bail of this present accused and thus his bail prayer is rejected.

To 24.09.2024 for supplementary charge sheet containing sanction order for accused Sushil Kumar Barman, for production and appearance of the accused persons.

Dictated and corrected by me,

Judge.

(J.O. Code WB 00687)

ADJ, 2<sup>nd</sup> Court, Cum,  
Judge, Special Court,  
Berhampore, Murshidabad.  
(J.O. Code WB 00687)