

**In the Court of Additional District & Sessions Judge, 2nd Court,
- Cum -
Judge, Special Court,
Berhampore, Murshidabad.**

**Present : Sri Ajay Kumar Singh [J.O. Code:- WB 01303]
Additional District & Sessions Judge, 2nd Court,
-Cum-
Judge, Special Court,
Berhampore, Murshidabad.**

**Bail Petition No.:- 128/2026
[In Special Case No.:- 12/2024]**

Re : Application for bail of the petitioner/accused in connection with Suti P.S. Case 80/2024, dated 30.01.2024, under Section 467/468/471/420/409 of the IPC., u/S 7(a)(i)/8/11/12/13/14 of the Prevention of Corruption Act, 1988.

Asis Kumar Tewari	 Petitioner/Accused
<u>Versus</u>	
State of West Bengal	 O.P.

Order No. 42, dated 03.08.2026

Today is fixed for hearing the instant bail application.

Ld. Advocate for the petitioner is present. Ld. Special Public Prosecutor is also present.

CD is available.

The instant bail application is taken up for hearing.

At the outset, Ld. Advocate for the petitioner/accused has submitted that the petitioner/accused person has been falsely implicated in this case. He has also contended that the petitioner has voluntarily surrendered before the Ld. ACJM, Jangipur on 03.04.2024 and since then he is in Judicial custody. Ld. Advocate for the petitioner has further contended that in this case investigation is completed and the IO of this case has submitted charge-sheet/ supplementary charge-sheet in this case and this Ld. Court has framed charge against the accused persons including the present petitioner herein on 22.07.2026. He has also contended that the Hon’ble High Court, Calcutta while rejecting the prayer for bail of the petitioner vide CRM (M) 2084 of 2025 dated 06.03.2026 was pleased to observe that considering the period of detention of the petitioner in judicial custody, the Ld. Trial Court may release the petitioner on bail on such terms and conditions as deemed fit and proper after consideration of charge. He has further contended that the petitioner is suffering from various ailments and the petitioner is a permanent resident of the locality and there is no chance of absconding or evading the due process of law. He has also contended that as the investigation is over, further detention of the petitioner in judicial custody is not necessary and no fruitful purpose shall be served by keeping him in judicial custody. In this background, Ld. Advocate for the petitioner/accused has prayed before this Court to release the accused on regular bail on any condition put by this Court and if he is released on bail, the petitioner shall appear before this court on regular basis to face the trial.

Per contra, Ld. Special Public Prosecutor has vehemently opposed the instant bail application moved by the petitioner. In support of his contention, he has contended that the allegation against the present petitioner is serious in nature. He has also contended that the present petitioner was the then headmaster of the school and he is the principal accused in this case. Ld. Special P.P. has further contended that the present petitioner had issued fake appointment letter in the name of co-accused person Abdul Rakib which was in fact in the name of a successful candidate. He has further apprised this Court that the petitioner is involved in other cases of similar nature wherein he had issued fake appointment letters and the matters are pending before this Court. In this background, Ld. Special Public Prosecutor has prayed before this court not to allow the prayer for bail of the petitioner at this stage.

Heard the rival submissions at the Bar. Considered.

Perused the case record and other available materials in the CD.

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Contd.....

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It appears from perusal of the materials on record and the CD that the petitioner was the then headmaster of the school and during his tenure as a headmaster he had issued fake appointment letter in the name of co-accused person Abdul Rakib which was in fact in the name of a successful candidate. I also do find that the offence committed by him is serious in nature and I also do find incriminating materials against the present petitioner.

Regard being had to the facts and circumstances of the present case, I am of the considered view that this is a fit case wherein the liberty in the form of regular bail may be denied to such accused to ensure corruption free society. It further transpires that the petitioner is involved in other cases of similar nature wherein he had issued fake appointment letters and the matters are pending before this Court. I am also of the opinion that if the petitioner is enlarged on bail at this stage, there is every chance of tampering of evidence in this case.

In light of the above discussion, I am of the opinion that this is not a fit case to enlarge the petitioner on bail at this stage. Hence, the instant bail application is considered and rejected.

The instant bail application is disposed of in above terms.

Return CD.

To date.

Dictated & Corrected by
me

Judge, Special Court,
(J.O. Code:- WB 01303)

Addl. Dist. & Sess. Judge, 2nd Court
- CUM -
Judge, Special Court,
Berhampore, Murshidabad.
(J.O. Code:- WB 01303).