

04.12.2020

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Ct. No. 19

NB

CRM 8240 of 2020

(Via Video Conference)

In Re : An application for bail under Section 439 of the Code of Criminal Procedure in connection with Dhantala P.S. Case No.105 of 2017 dated 12.04.2017 under Section 135(1)(A) of the Electricity Act, 2003.

And

In the matter of : **Mofijul Mondal**

..... Petitioner

Mr. Amanul Islam

.... for the petitioner

Ms. Manisha Sharma.

...for the State.

Mr. Aniket Mitra

...for WBSEDCL.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is in custody for about 145 days. The provisional assessment made by the electricity authorities has been challenged by the petitioner and a writ application is pending on this.

Learned Counsel appearing on behalf of the electricity authority submits that since a final assessment has already been made, the writ application would in fact become infructuous. No payment has yet been made by the petitioner.

Learned Counsel appearing on behalf of the State submits that a prima facie case of hooking is made out against the present petitioner. However, she admits that a charge sheet has already been submitted in this case.

In view of the fact that charge sheet has already been submitted in this case and the petitioner is in custody for a considerable length of time, I am inclined to allow the prayer for bail of the petitioner.

Let the petitioner be released on bail subject to the satisfaction of the learned Judge, Special Court, Krishnagar, Nadia upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount, one of whom shall be local.

CRM No.8240 of 2020 is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)