

15.07.2021
 Ct No. 35
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C.R.M. 4147 of 2021
(Via Video Conference)

Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Belghoria Police Station Case No. 96 dated 08.02.2021 under Sections 135/138 138 of the Electricity Act, 2003.

In Re: **Md. Sahid Hussain @ Md. Zahid Hussain,**
... petitioner

Ms. Baisali Ghosal,
 Md. Sakir,

... for the petitioner

Mr. Tanmoy Kumar Ghosh,
 Mr. Arindam Sen,

.... for the State

Mr. Kaushik Gupta,
 Ms. Sreyashee Biswas,

... for the Distribution Company

Pursuant to the order dated July 8, 2021, the Distribution Company has filed a report before this Court today. Let the same be kept with the record.

The mystery with regard to the identity of the petitioner appears to have not been resolved, as the report indicates that the Distribution Company and its representatives do not have any knowledge as to who was the person arrested by the investigating agency in connection with the said case.

The identity of the petitioner may be in dispute, but what is not in dispute is the prolonged detention of the petitioner. The petitioner is in custody for more than four months. The charge sheet has also been submitted.

Having regard to the nature of the offence and the fact that the charge sheet has already been submitted in this case, further custodial detention of the petitioner is not necessary. Accordingly, the prayer for bail is allowed.

The petitioner, namely, **Md. Sahid Hussain @ Md. Zahid Hussain**, shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand Only), with two sureties of like amount, to the satisfaction of the learned Additional Sessions Judge (Electricity Special Court), Barrackpore, with the condition that the petitioner shall attend the trial every date of hearing of the case unless prevented by sufficient cause. In the event of his failure to appear without justifiable cause, the trial Court would be at liberty to cancel the bail without any further reference to this Court.

The application for bail being CRM 4147 of 2021 is, thus, disposed of.

(Kausik Chanda, J.)