

June 27, 2023

AD – 7

Ct. 34

SG

CRM(SB) 120 of 2023

In Re. An application for bail under Section
439 of the Code of Criminal Procedure

In the matter of:

Bikas Das

-versus-

The State of West Bengal and another

Mr. Rajendra Banerjee

Ms. Shila Chatterjee

Ms. Sankholina Das

... for the petitioner.

Mr. N.P. Agarwalla

Mr. Pratick Bose

... for the State.

Mr. Aniket Mitra

... for WBSEDCL.

The petitioner is in custody since 3rd May, 2023. He has been arraigned in connection with Mayureshwar PS Case No.165 of 2021 under Section 135(i)(a) of Electricity Act, 2003.

Mr. Mitra, learned advocate for WBSEDCL submits that final bill has been assessed but till date no farthing has been paid. The allegation is that the petitioner was hooking and using the electricity for the purpose of using submersible pump.

Mr. Bose, learned advocate appearing for the State opposes the prayer for bail.

Having regard to the period of detention of the present petitioner, I am inclined to release the present petitioner on bail.

Accordingly, the petitioner namely Bikas Das is released on bail subject to furnishing bond of ₹10,000/- (Rupees Ten Thousand

only) with two sureties of like amount each, one of whom must be local, to the satisfaction of Special Court, Suri.

In this case, I direct that the learned special court would fix at least one date in a week so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties and the learned Public Prosecutor conducting the case will ensure regarding production of materials, exhibits and documents on the date so fixed for examination of the witnesses.

As charge has already been framed in this case, trial of the case would proceed in accordance with the direction made above.

Accordingly, CRM(SB) 120 of 2023 is allowed.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order be immediately made available to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

