

12.06.2024

Item No.3

Ct.No.34

rc.

Allowed

C.R.M. (SB) 76 of 2024

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Pukhuria Police Station Case No. 94 of 2022 dated 01.04.2022 under Section 135(1)(a) of the Electricity Act.

And

In Re : **Sk. Sadek**

... Petitioner.

Mr. Arup Kumar Bhowmick

... For the Petitioner.

Ms. Baisali Basu

Ms. Snigdha Saha

... For the State.

It is submitted on behalf of the petitioner that the petitioner is in custody for about 31 days and charge sheet has been submitted. Further detention of the petitioner is not required for the purpose of investigation.

Learned counsel for the prosecution produces Case Diary and opposes the prayer for bail.

Charge Sheet has been submitted against the petitioner under Section 1345(1)(a) of the Electricity Act, 2003. The accused/petitioner is in custody for about 31 days. Further detention of the accused/petitioner is not required for the purpose of investigation.

Considering the nature of offence as well as period of detention of the petitioner, the prayer for bail is allowed.

Accordingly, the petitioner shall be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Malda subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 76 of 2024, is, thus, 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, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)