

29.10.2024

01

Ct. No. 07

SUBRATA/

KAUSHIK

Allowed

C.R.M. (SB) 147 of 2024

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 formerly under Section 439 of the Code of Criminal Procedure in connection with **Rajarhat** Police Station Case No. **28** of **2022** dated **17.01.2022** under Section 135(I)(a) of the Electricity Act.
And

In Re : Golam Mohammed

..... petitioner

Mr. Mrinal Kanti Mukherjee

Ms. Purnima Panda

.....for the petitioner

Mr. S. S. Koley

.....for the WBSEDCL

Md. Anwar Hossain

Ms. Baisakhi Chatterjee

....for the State

It is said on behalf of the petitioner that he has not the owner of the premises rather he is an occupier in respect of one room on the ground floor in the said premises.

It is further submitted on behalf of the petitioner that the petitioner was taken into custody for enjoying electricity illegally by direct hooking from the nearest LTOH line of WBSEDCL.

It is said that the petitioner already has made payment of entire provisional assessed amount of Rs.24,591/- despite that he was taken into custody and as such he may be released on bail.

Learned counsel appearing on behalf of the Opposite Party Nos. 1 and 2 raise objection.

I have considered the rival contentions advanced by both the parties and it appears that the petitioner has already made payment entire provisionally assessed amount before the authority concerned and as such I find that there is no justification to keep the accused petitioner behind the bar and as such I grant bail to the petitioner.

Accordingly, I direct that the petitioner shall be released on bail upon furnishing a bond of Rs.1,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the **learned Chief Judicial Magistrate, Barasat**, subject to the condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

The application for bail is, accordingly, allowed.

(Prasenjit Biswas, J.)