

D/L - 88
06/05/2025
Court No.28
S.Kundu

CRR 1411 of 2025
With
CRAN 1 of 2025

Gourhari Das
Vs.
State of West Bengal & Anr.

Mr. Arnab Chatterjee
Mr. A. Mukherjee

...for the petitioner.

Mr. Aniket Mitra

...for the WBSEDCL.

Mr. Suman De

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. The petitioner is an accused in a case under the Electricity Act. When he went to pray for bail, the learned Special Court asked him to make payment of entire amount finally assessed in two installments. It was not possible for the petitioner to do the same. Subsequently, the bail has been cancelled and a warrant of arrest has been issued.
2. Learned counsel appearing for the opposite party no. 2 points out that it was the petitioner who had given specific undertaking to pay the entire amount before the learned special Court. It was on the basis of such undertaking, that an order was passed granting bail.

3. Learned counsel appearing for the State submits that a *prima facie* case is made out against the petitioner.
4. It appears that the petitioner obtained bail from the Special Court by giving a specific undertaking to pay the entire amount finally assessed. It was the Special Court, which made a concession by allowing him to make the payment in two installments.
5. In such circumstances, the petitioner has not been able to make out a case for stay of warrant of arrest.
6. Accordingly, the prayer for stay is refused.
7. However, the petitioner shall be at liberty to appear before the learned Special Court and pray for bail, which shall be considered in accordance with law.
8. Accordingly, the revisional application stands disposed of. The connected application also disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)