

31.08.2022

Item No.7

Ct.No.34

dc.

Allowed

C.R.M. (SB) 209 of 2022

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Chanchal Police Station Case No. 508 of 2022 dated 18.05.2022 under Section 135(1)(b) of the Electricity Act (Electricity Case No. 276/2022).

And

In Re : **Ajijur**

... Petitioner.

Mr. Provas Bhattacharya,
Sk. Saifuddin

... For the Petitioner.

Ms. Jonaki Saha

... For the State.

Ms. Sreyashee Biswas

... For the WBSEDCL.

Mr. Bhattacharya, learned advocate appearing for the petitioner submits that the petitioner is in custody for about 27 days in spite of the fact that he has deposited 50% of the final assessment amount fixed by the Electricity authorities.

As none appeared on behalf of the Electricity authorities, Ms. Sreyashee Biswas, learned advocate empanelled with the WBSEDCL was directed to represent them and seek instructions regarding the genuinity of the contentions advanced on behalf of the petitioner. Her appointment may be regularised by the concerned authorities.

Ms. Biswas, on instructions from the appropriate authorities, submits before this Court that 50% of the

assessed amount i.e. Rs.44517/- as enclosed in page 10 of the application for bail has been received by the WBSEDCL.

Having regard to the period of detention of the present petitioner and the fact that 50% of the assessed amount has been deposited, further detention of the petitioner is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Ajjur** shall be released on bail upon furnishing bond of Rs.5,000/- (Rupees Five Thousand only), with two sureties of like amount each, to the satisfaction of the learned Special Judge, 1st Court, Malda.

If on bail, the petitioner shall appear before the learned Special Judge, 1st Court, Malda on each and every date so fixed.

The application for bail, being CRM (SB) 209 of 2022, 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.

(Tirthankar Ghosh, J.)