

In the Court of the Additional Sessions Judge, Special Court,
Balurghat, Dakshin Dinajpur
Special Case No.171/2022 (Computer Registration No)
CNR No.WBDD01-002224-2022.
Harirampur PS case no.246/2022 dt. 21.09.2022 under section 135 (1) (a)
Electricity Act 2003.
Present :- Nachiketa Bera (J.O Code-WB00853).

Order No.08
04.04.2024

The record is put up on the strength of a petition filed on behalf of the accused Md. Sumon Sarkar. He also filed his vokalatnama as well as copy of the notice u/s 41A CrPC.

The accused surrendered before this Court and he is taken into custody and remanded to J.C till 18 .04.2024. Recall W/A.

A bail petition has been filed on behalf of the accused person.

Heard learned advocate for the accused person and learned P.P.-in-charge.

Ld. Advocate for the accused submits that he has complied with the provision of notice u/s 41 A CrPC as mandated by the Hon'ble Apex court in Arnesh Kumar vs. State of Bihar.

Learned P.P-in-charge raised objection.

Perused the materials on record including notice u/s 41A CrPC. Considered. On perusal I find that the accused has complied with the provision of 41A CrPC by attending at Harirampur PS on 24.09.2024 which suggests that there is no requirement of custodial interrogation of the accused.

Considering the fact that as the accused person has voluntarily surrendered before this court today and the CS has already been submitted in this case so I find that the detention of the accused person in this case is not necessary. Hence, the prayer for bail of the accused person is allowed.

Accordingly, the accused namely Md. Sumon Sarkar may find bail of Rs.2,000/- with one registered surety of like amount subject to the satisfaction of Ld. C.J.M. Dakshin Dinajpur at Balurghat i.d to J.C till date.

If on bail to date i.e. on 15.05.2024 for appearance of accused person and supply of copy.

Let a copy of this order be forwarded to Ld. C.J.M, Dakshin Dinajpur at Balurghat for information and taking necessary action.

Dictated and corrected by me

Addl. Dist. & Sess. Judge,
Spl. Court, D/D. at Balurghat.

Addl. Dist. & Sess. Judge,
Spl. Court, D/D. at Balurghat