

In the Court of the Judge, Electricity Act, Hooghly

Electricity Case No. 76 / 2023

CNR - WBHG01-001562-2023

(Arising out of Uttarpara P.S. Case no. 126 / 2023 dated 11/04/2023)

U/s 135 / 138 of the Electricity Act, 2003

Order No. 02 Dated 21.04.2023

This Court is lying vacant. Addl. Dist. & Sessions Judge, Cum Judge, Special Court (EC) Act Hooghly is in-Charge.

The case record is put-up today by a put up petition along with one surrender and bail petition filed by Ld. Advocate for the accused person namely Debasish Modak. Separate vokalatnama has also been filed.

The copy of said bail petition is served to Ld. PP, Hooghly.

The accused person is taken into custody and remanded to J.C till 04.05.2023.

Ld. Advocate for the accused person and Ld. PP-in-Charge, Hooghly both are present.

Now the bail application is taken up for hearing.

Heard the Ld. Advocate for the accused person who submits for bail on the ground that today this accused person has surrendered before this Court voluntarily. Ld. Advocate further submits that in the meantime an amount of Rs.3,39,809/- has already been paid towards the provisional assessment bill by one Prabhat Kumar Samanta who is the actual owner of the meter in question and the present accused/ petitioner is the beneficiary of the same. Ld. Advocate prays for bail of the accused person on any terms and conditions.

Heard Ld PP-in-charge who left the matter on the discretion of the Court.

Perused the case record.

Considering the case, submission of both sides and also considering the above facts, I find that today the accused/ petitioner has surrendered before this Court and the full amount of provisional assessment bill has already been paid to the concerned Electricity department. Search & seizure has already been completed. Thus, I do not find any ground to detain the accused person into custody and to curtail his personal liberty as custodial detention will not serve any purpose. Thus, I am inclined to enlarge the accused person at this stage. Hence the prayer for bail of the accused person is hereby considered and allowed.

The accused person namely Debasish Modak may find bail of Rs.1,000/- with one registered surety of like amount subject to the satisfaction of Ld. CJM, Hooghly. If on bail 01.06.2023 for appearance of the accused persons id to District Correctional Home till 04.05.2023.

Let a copy of this order be forwarded to Ld. CJM, Hooghly for information and necessary compliance.

Dictated & corrected by me.

Sd/-

(Diptendra Nath Mitra)
Judge, Electricity Act, Hooghly
(In-Charge)
WB00618

Sd/-

(Diptendra Nath Mitra)
Judge, Electricity Act, Hooghly
(In-Charge)
WB00618

No..... dated 21.04.2023

To the Ld. C.J.M, Hooghly.

Sd/-

Judge, Electricity Act, Hooghly(I/C)

WB00618