

In the Court of the Judge, Spl Court (Elec. Act)-cum-ASJ 4th Court, Howrah.
Electricity Case no. 48 of 2021
(CNR No.WBHW01-001375-2021)

Order No.4 dated 18.09.2021.

The record is put up on the prayer of the accused person. Sole accused person namely Jai Kishan Barey @ Jai Kishan Bade surrender before this Court today. He is taken into custody and remanded to J.C. till 16.12.2021. An application for bail is filed on behalf of accused persons.

Ld. Advocate Sanjay Pandey appears as P.P-in-charge.

The record is taken up for hearing on the application for bail.

The Ld. Advocate for the accused persons has submitted that accused person namely Jai Kishan Barey @ Jai Kishan Bade is the beneficiary of the consumer Armana Begum (ref: LBB/00579/2021 dated 16.09.2021). He submits that as per order of the CESC authority, he has deposited Rs.100000 to the CESC authority as 1st instalment out of the seven instalments against final assessment bill of Rs.382200/-. He has further submitted that the accused person thereafter moved before the National Lok Adalat at Howrah District Court held on 11.09.2021 and settled the matter. He has further submitted that as per the order of the National Lok Adalat, the accused person is to make payment of Rs.82000/- with six instalments as full settlement of the outstanding UMC and make payment of Rs.4000/- as compounding charge within six months. Thereafter, as per order of the National Lok Adalat, the CESC authority direct the accused person to pay Rs.82000/- in 6 instalment, first one of Rs.14000/-to be paid by 04.10.2021 and directed to going on payment the rest five instalment of Rs.13600/- each continuously till the last one by 03.03.2022. He has prayed for enlarging the petitioner/accused persons on bail, on any condition.

Ld. PP in charge on behalf of the State does not oppose the bail prayer.

Perused the materials on record.

Now considering the entire materials available on record as well as the documents submitted before the court it appears that the accused person namely Jai Kishan Barey @ Jai Kishan Bade is the beneficiary of the consumer Armana Begum (ref: LBB/00579/2021 dated 16.09.2021). It further appears that as per order of the CESC authority, he has deposited Rs.100000 to the CESC authority as 1st instalment out of the seven instalments against final assessment bill of Rs.382200/- and thereafter, the accused person moved before the National Lok Adalat at Howrah District Court held on 11.09.2021 and settled the matter. He has further submitted that as per the order of the National Lok Adalat, the accused person is to make payment of Rs.82000/- with six instalments as full settlement of the outstanding UMC and make payment of Rs.4000/- as compounding charge within six months of the order. Thereafter, as per order of the National Lok Adalat, the CESC authority direct the accused person to pay Rs.82000/- in 6 instalment, first one of Rs.14000/-to be paid by 04.10.2021 and directed to going on payment the rest five instalment of Rs.13600/- each continuously till the last one by 03.03.2022.

It is hereby made clear that the accused person should pay the settlement amount as **UMC charge** in instalments and **compounding charge as stated above** by **03.03.2022** for compounding the matter.

In view of above, the prayer for enlarging the petitioner/accused person on bail, is considered and allowed. The accused persons may find bail of Rs.1,000/- each with one registered surety of like amount i.d. to J/C.

To date (16.12.2021) for appearance of the accused persons bail, if bail bond is furnished, showing receipt of payment of instalment as per order of the National Lok Adalat and I.O.'s report.

Upload the same in the CIS immediately.

Judge, Special Court (Elec. Act), Howrah.
(J.O. Code:WB00774)