

21.09.2020

BP
Sl.22

CRM 5940 of 2020
With
CRAN 4378 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Harishchandrapur Police Station Case No. 25 of 2020 dated 10.01.2020 under Sections 136(a) of the Electricity Act, 2003.

In the matter of : Sukanta Kumar Sinha.....petitioner

Mr. Himangshu Ghosh
..for the petitioner.

Mr. Pratick Bose
..for the State.

Mr. Aniket Mitra
.. for WBSEDCL.

Learned advocate for the petitioner submits that Rs 18,961/- has already been deposited with the Distribution Company which is 50% of the total amount of due.

Mr. Aniket Mitra, learned advocate for the Distribution Company acknowledges the deposit of the said amount but opposes, as whole of the amount has not been paid.

We have taken into account the nature of allegations as well as the fact that the petitioner has

acted bona fide pursuant to the order of this court and deposited 50% of the amount which is due.

In view of the aforesaid, we are of the opinion that the custodial detention of the petitioner is not warranted.

Accordingly, we allow the prayer for anticipatory bail.

In the event of arrest, the petitioner shall be released on bail upon furnishing bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of like amount, to the satisfaction of the arresting officer of the case.

The aforesaid order shall be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The application for anticipatory bail being C.R.M. 5940 of 2020 and C.R.A.N. 4378 of 2020 are disposed of.

(Samapti Chatterjee, J.)

(Tirthankar Ghosh, J.)