

11.03.2021

Item No.15

Ct.No.28

dc.

Allowed

C.R.M. 2852 of 2020

(Via Video Conference)

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

And

In Re : **Faju Sk alias Sekh Faju** ... Petitioner.

Mr. Saiful Alam ... For the Petitioner.

Ms. Kumkum Mitra ... For the State.

Mr. Aniket Mitra ... For the WBSEDCL.

Apprehending arrest in connection with Labpur P.S. Case No. 39 of 2019 dated 21.02.2019 under Section 135(1)(a)(b) of the Electricity Act, 2003, the present application has been preferred.

The learned advocate appearing for the petitioner submits that pursuant to the earlier direction of this Court, the petitioner, on 28th December, 2020, has paid Rs.52,000/- to the West Bengal State Electricity Distribution Company Limited. To that effect, a copy of the receipt, as produced, be kept on record.

Such fact has not been disputed by Mr. Aniket Mitra, learned advocate appearing for the electricity authorities.

In view of the aforesaid, the petitioner is directed to surrender before the learned Special Court and pray for regular bail.

The learned Special Court would release the petitioner, namely, **Faju Sk alias Sekh Faju** on regular bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local and on condition that the petitioner shall attend the Special Court on each and every date, so specified.

In case, the petitioner fails to comply with the aforesaid conditions, the learned Special Court will be at liberty to exhaust due process of law for custody of the present petitioner.

The order of '**not to arrest**' will continue till 5th April, 2021 within which the petitioner shall approach the learned Special Court for regular bail.

With the aforesaid observations, the application for anticipatory bail, being CRM 2852 of 2020 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)