

24.11.2021
Item no.178
Court No.32
Avijit Mitra

C.R.M. 2708 of 2021 (via video conferencing)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

In Re : Indranil Bhattacharya

.... petitioner

Mr. Indranil Halder

....for the petitioner

Ms. Manisha Sharma

..... for the State

Ms. Sreyashee Biswas

....for the CESC

Apprehending arrest in connection with Kalighat Police Station Case No.11 of 2021 dated 4th February, 2021 under Sections 135/138 of the Electricity Act, 2003, the present application has been preferred.

Mr. Halder, learned advocate appearing for the petitioner submits that challenging the order of provisional assessment to the tune of Rs. 4,28,691/- the petitioner preferred a writ petition which was disposed of by an order dated 24th February, 2021 and pursuant to the said order, the petitioner deposited Rs. 2,31,320/-. In view thereof, custodial interrogation of the petitioner is not warranted.

Ms. Sharma and Ms. Biswas, learned advocates enter appearance on behalf of the State and the CESC respectively.

Heard learned advocates appearing for the respective parties. Since the petitioner has already deposited more than 50 percent of the assessed amount, we are of the opinion that

custodial interrogation of the petitioner is not warranted in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Indranil Bhattacharya** shall be released on bail upon furnishing two registered sureties of Rs.5,000/- each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The application for anticipatory bail being C.R.M. 2708 of 2021 is disposed of.

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

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)