

04.06.2021

Sl. No.21

Court No.30

BR

CRM 2927 of 2021

(Via Video Conference)

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 22nd March, 2021 in connection with Belgharia Police Station case No.138 of 2021 dated February 23, 2021 under Sections 135/138 of the Electricity City Act, 2000.

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And

In the matter of: Faisal Ali

... Petitioner

Mr. Debasish Kar

... for the petitioner

Mr. N.P.Agarwala,

Mr. Pratick Bose

... for the State

Ms. Sreyashee Biswas

... for the CESC

The petitioner is apprehending arrest in connection with Belgharia Police Station case No.138 of 2021 under Sections 135/138 of the Electricity City Act, 2003.

Heard learned counsel for the parties.

The provisional assessment for a sum of Rs. 2,00,000/- was not paid by the petitioner resulting which final assessment was made towards the theft of electrical energy committed allegedly by the petitioner and the final assessment amount of Rs. 2,15,160/- has been assessed by the CESC authority on account of alleged theft of electrical energy but the petitioner has not yet deposited the same.

On hearing learned counsel for both parties and considering the civil liability of the petitioner to pay the assessed amount, we direct that in the event of arrest, the petitioner may be admitted on

anticipatory bail on furnishing bail bond of Rs.5,000/- subject to the satisfaction of the arresting officer and on condition as embodied under Section 438 (2) of the Criminal Procedure Code and further on condition to deposit a sum of Rs. 1,00,000/- (Rupees One lac) out of the final assessment amount within a period of week to the CESC authority , in default the order of anticipatory bail shall stand cancelled without any reference to this Court.

Thus, the application being CRM 2927 of 2021 is allowed and disposed of.

(Aniruddha Roy, J.)

(Shivakant Prasad , J.)