

29-11-2021

Item no.61

Subrata

Allowed

IN THE HIGH COURT AT CALCUTTA

Criminal Miscellaneous Jurisdiction

CRM No.4990 of 2021

Atabur Rahaman & Ors.

-vs-

The State of West Bengal & Anr.

In Re: An application for anticipatory bail under **Section 438 CrPC** in connection with Chanchal P.S. Case No.446 of 2021 dated June 15, 2021 under section 136(i)(a) Electricity Act, 2003 read with section 3 of the Prevention of Damage to Public Property Act, 1984.

Mr. K. Ganguly

...for the petitioners

Mr. N.P. Agarwal

Mr. Pratick Bose

... for the State

Mr. Aniket Mitra

...for WBSEDCL

The four petitioners seek anticipatory bail.

Learned advocate for the petitioners submits that the petitioners paid entire assessed amount to the distribution company pursuant to the order dated November 16, 2021.

Considering that the petitioners paid entire assessed amount and considering the gravity of the offences and involvement of the petitioners, we grant the second and the third petitioners anticipatory bail.

On the prayer of the learned advocate for the petitioners, the section 438 CrPC application is dismissed so far as the first and fourth petitioners are concerned.

Accordingly, we direct that in the event of arrest, the second (Rejaul Haque) and the third (Manjur @ Manjur Hossain) petitioners shall be released on bail upon furnishing a bond of Rs.10,000 (Rupees ten thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions laid down under section 438(2) CrPC ; and on further condition that the second and the third petitioners shall meet the

investigating officer once a month until conclusion of the investigation and that they shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application for anticipatory bail being CRM No.4990 of 2021 is thus disposed of.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]