

22.02.2021
Court No.28
Item No. 01
Krishnendu
Disposed of

**C.R.M. 8597 of 2020
(Via video Conference)**

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

And

In Re : **Manoyar Ali Gayen**

Petitioner

Mr. Suddhadev Adak

For the petitioner

Mr. Narayan Prasad Agarwala

Mr. Pratick Bose

For the State

Mr. Aniket Mitra

For the WBSEDCL

Apprehending arrest in connection with Goghat Police Station Case No. 82 of 2015 dated 03.02.2015 under Section 138(1)(a) of the Electricity Act, 2003, the present application has been preferred.

Mr. Mitra, learned advocate appears on behalf of the WBSEDCL and Mr. Agarwala, learned advocate appears on behalf of the State.

Mr. Adak, learned advocate appearing for the petitioner submits that the petitioner undertakes to pay 50% of the final bill, which has been assessed at Rs. 98,930/-, within three weeks from date.

In the event, such an amount is tendered to the Electricity Authority within the aforesaid time of three weeks, the *learned special court* would on compliance and on scrutinizing the authenticity of such documents, release the petitioner 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 not intimidate the witnesses and/or tamper with the evidence of the case.

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.

With the aforesaid observations, the application for anticipatory bail, being CRM 8597 of 2020 is, thus, disposed of.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)