

28.01.2022
Item no. 23
Court No.32
Avijit Mitra

C.R.M. (A) 13 of 2022 (Through Video Conferencing)

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

And

In Re : Nisha Ruia & anr.

.... petitioners

Mr. Indranil Halder

....for the petitioners

Ms. Kum Kum Mitra

..... for the State

Ms. Shreyashee Biswas

....for the CESC Limited

Apprehending arrest in connection with Beniapukur Police Station Case No.463 of 2021 dated 25th November, 2021 under Sections 135/138 of the Electricity Act, 2003, the present application has been preferred.

Heard Mr. Halder, learned advocate appearing for the petitioners.

Ms. Mitra, learned advocate enters appearance on behalf of the State.

Ms. Biswas, learned advocate appearing for the CESC Limited submits, upon instruction, that the entire assessed amount has been deposited by the petitioners.

In view thereof and considering the nature of accusations, we are of the opinion that custodial interrogation of the petitioners is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners namely, **Nisha Ruia and Debiprosad Ruia**, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The petitioners shall attend the learned Trial Court on all the dates as specified for hearing.

The petitioners shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

It is made clear that in the event the petitioners fail to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel the petitioners' bail without any further reference to this Court.

The application for anticipatory bail being C.R.M. (A) 13 of 2022 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.)