

23.02.2022

Court No.32
rpan / **05**

C.R.M. (A) 131 of 2022

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Belghoria Police Station Case No. 836 of 2021 dated 09.12.2021 under Sections 135/138 of the Electricity Act, 2003;

And

In Re : **Sri Anup Kumar Bose & Anr.**

- Petitioners

Mr. Indranil Halder (through v.c.)
... for the Petitioners.

Mr. Sk. Arif Hossain
... for the State.

Ms. Sreyashi Biswas
... for the C.E.S.C.

Mr. Halder, learned advocate appearing for the petitioners submits that pursuant to the earlier direction of this Court, the petitioners have deposited 50 per cent of Rs.6,20,973/-.

Such fact has not been disputed by Ms. Biswas, learned advocate appearing on behalf of the C.E.S.C.

Considering the nature of accusations and as the amount, as directed by this Court, has already been deposited, we are of the opinion that custodial interrogation of the petitioners is not warranted. As such, their prayer for anticipatory bail is allowed.

Accordingly, in the event of arrest the petitioners, namely, **Sri Anup Kumar Bose** and **Sri Biswajit Bose** shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, 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 CRM (A) 131 of 2022 is, thus, allowed.

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.)