

CRM 7507 of 2021
(via video conference)

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Sudip Kumar Ghosh**

..... petitioner

Ms. Jeenia Rudra
Mr. Bhaskar Ray

.....For the petitioner

Ms. Kum Kum Mitra

.....For the State

Mr. Aniket Mitra

.....For the WBSEDCL

Apprehending arrest in connection with Chandrakona Police Station Case No. 319 of 2021 dated 23.08.2021 under Sections 135(1)(b) of the Electricity Act, 2003, the present application has been preferred.

By an earlier order dated 17th December, 2021 this Court directed the petitioner to deposit 50% of the assessed amount.

Ms. Rudra, learned advocate appearing for the petitioner submits that in compliance with the said direction 50% of the assessed amount has already been deposit. Such contention has not been disputed by Mr. Mitra, learned advocate appearing for the WBSEDCL.

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

Having heard the learned advocates appearing for the respective parties and considering the materials in the case

diary, the nature of accusations and the fact that 50% of the assessed amount has already been paid by the petitioner, we are of the opinion that custodial interrogation is not warranted.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Sudip Kumar Ghosh** shall be released on bail upon furnishing a bond of Rs.10,000/-, 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.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM 7507 of 2021, is, thus, 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.)