

10.08.2022
Serial no.8
Aloke

CRM (A) 3775 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sagardighi Police Station Case No. 330 of 2022 dated 20.07.2022 under Sections 135(i)(a) of the Electricity Act, 2003.

-And-

In the matter of : **Omar Sharif @ Amar Sarif**

... .. Petitioner

Ms. Reshmi Ghosh, Advocate
Mr. Golam Mohiuddin, Advocate
Ms. Puja Mondal, Advocate

... .. For the Petitioner

Mr. Mirza Firoj Ahmed Begg, Advocate
... ..For the State

Mr. Aniket Mitra, Advocate
... .. For the WBSEDCL

Petitioner seeks anticipatory bail.

There is an order requiring the petitioner to deposit 50% of the provisional bill.

Apparently, the petitioner did not comply with such order.

The justification for not complying with the order of the High Court is that there is a final assessment bill which reduced quantum of the provisional assessment bill.

The subsequent final assessment bill may or may not have reduced the claim from the provisional assessment bill. The reduction is not such that it is less than 50% of the provisional assessment bill. It is not for the parties to sit in appeal over the Court's order.

Considering the fact that the petitioner did not comply with the order of the Hon'ble Court and considering the materials in the case diary and the gravity of the offence, we are unable to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 3775 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)