

30.08.2022
Serial no. 05
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 3979 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Maheshtala** Police Station Case No. **371** of **2022** dated **21.07.2022** under Sections **135 and 138** of the Electricity Act, 2003.

-And-

In the matter of : **Biswanath Naskar & Anr.**
... .. Petitioners

Md. Kutubuddin, Advocate
... .. For the Petitioners

Ms. Sreyashee Biswas, Advocate
... ..For the CESC Ltd.

The Court is informed that subsequent to the order dated August 22, 2022, the petitioners received the final assessment bill and deposited 50% of the same with the Distribution Company.

In such circumstances and in view of the gravity of the offence, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no.1 shall report before the Investigating Officer as and when called for till the conclusion of the investigation and petitioner no. 2 shall cooperate with the investigation till its completion and on further condition that the

petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 3979 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)