

CRM 8063 of 2021
(via video conference)

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

In the matter of : **Uday Gupta @ Uday Kumar Gupta & Anr.**
..... petitioners

Sk. Aptabuddin

.....**For the petitioners**

Ms. Kum Kum Mitra

.....**For the State**

Ms. Sreyashee Biswas

.....**For the CESC**

Apprehending arrest in connection with Bhadreswar Police Station Case No. 160 of 2018 dated 27.04.2018 under Sections 135/138 of the Electricity Act, 2003, the present application has been preferred.

Records reveal that when the matter was last taken up for hearing, the petitioners prayed for extension of time to deposit 50% of Rs.5,11,467/-. Considering such prayer, the time to deposit the amount as directed by the earlier order was extended till 17th February, 2022.

The learned advocate appearing for the petitioners submits that they have not been able to arrange such money to make such deposit.

Ms. Biswas, learned advocate appearing for the CESC submits, upon instruction, that two more proceedings are pending against the petitioners herein and they have not made the payment in the said proceedings.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of accusations and the conduct of the petitioners, we are not inclined to exercise any discretion in their favour. As such, their prayer for anticipatory bail is refused.

The application being CRM 8063 of 2021 is, accordingly, dismissed.

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.)