

06.01.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 37 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Joynagar** Police Station Case No. **580** of **2022** dated **23.09.2022** under Section 135(1)(a) of the Electricity Act, 2003.

And

In Re : Nazim Gazi

..... petitioner

Mr. Gazi Rafuque Hossain

Ms. Priyanka Mondal

....for the petitioner

Mr. Aniket Mitra

....for the WBSEDCL

Ms. Kumkum Mitra

....for the State

Leave granted to the learned advocate on record of the petitioner to correct the cause title.

Petitioner deposited the entire amount under the final assessment bill with the distribution company.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner therein, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 shall meet the Investigating Officer as and when called for till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)