

17.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2030 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **16** of **2023** dated **04.01.2023** under Sections 135(1)(b)/138(1)(d) of the Electricity Act, 2003.

And

In Re : Sakerul Sekh @ Sakerul

..... petitioner

Mr. Mrityunjoy Chatterjee

Mr. Debapriya Majumder

....for the petitioner

Mr. Aniket Mitra

....for the WBSEDCL

Ms. Kumkum Mitra

....for the State

The Court is informed that the petitioner deposited 50 per cent of the final assessment bill with the Distribution Company wholly without prejudice to the rights and contentions of the parties.

The Distribution Company and the State are represented.

Considering the gravity of the offence and the conduct of the petitioner in depositing 50 per cent of the final assessment bill to the Distribution Company as well as the materials in the case diary, 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.)