

07.08.2023
ML. 29
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2770 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **183** of **2020** dated **14.02.2020** under Sections **135(1)(b)** of the Electricity Act.

And

In the matter of: **Barjahan @ Barjahan Ali**

....petitioner.

Mr. Sk. Saifuddin

...for the petitioner.

Mr. Kum Kum Mitra

...for the State.

Mr. Aniket Mitra

... for W.B.S.E.D.C.L.

1. Heard learned Counsel for the parties.
2. Learned Counsel for the petitioner undertakes that the petitioner shall deposit 50 per cent of Rs. 2,16,930/- (the final assessment) within four weeks from today.
3. Charge-sheet is stated to have been filed in the meantime.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the learned Judge, Special 1st Court, Malda (Electricity Act) in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:
 - i) on payment of the 50 per cent amount as undertaken, a copy of the receipt thereof duly authenticated by the petitioner or his advocate

shall be filed before the Court in seisin over the matter within 15 days of the deposit.

- ii) if the petitioner fails to comply the aforesaid condition, the liberty of anticipatory bail granted today shall be cancelled without reference to the Bench.

- 5. Accordingly, the prayer for the anticipatory bail is allowed.
- 6. The application being **CRM (A) 2770 of 2023** is disposed of.
- 7. The learned Judge, Special 1st Court, Malda (Electricity Act) is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

