

05.10.2023

SL. 5

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 3268 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Golabari** Police Station Case No. **220 of 2023** dated **10.07.2023** under Sections **135/138** of the Electricity Act.

And

In the matter of: **Badal Chandra Das**

....petitioner.

Mr. Bitasok Banerjee

Mr. A. Salam

...for the petitioner.

Mr. Pravas Bhattacharya

Mr. M. F. A. Begg

...for the State.

Mr. Kaushik Gupta

Ms. Sreyashee Biswas

...for the CESC Ltd.

1. Heard learned Counsel for both the parties.
2. The petitioner is stated to have paid 50 per cent of the demand in the meantime.
3. The copy of the receipt filed by learned Counsel for the petitioner be taken on record.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.

8. Before parting with the order, it is necessary for us to address the grievance of the learned Counsel for the petitioner that the electricity connection to the house of the petitioner has been discontinued.
9. This being a matter not germane for our consideration, the petitioner may file necessary application before the competent authority of the DISCOM and such application should be disposed of on merit in accordance with law.
10. The application being CRM (A) 3268 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

