

30.08.2023

SL. 26

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3469 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tapan** Police Station Case No. **416** of **2023** dated **17.07.2023** under Sections **135(1)(b)** of the Electricity Act.

And

In the matter of: **Aiyub Ali Sarkar**

....petitioner.

Mr. Kaushik Choudhury

Ms. Busra Khatun

...for the petitioner.

Ms. Kumkum Mitra

...for the State.

Mr. Aniket Mitra

... for WBSEDCL.

1. Heard learned Counsel for the parties.
2. The petitioner undertakes to pay 50 per cent of the provisional assessment amount of Rs. 2,25,011/-.
3. Regard being had to the facts and submission, 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 in the event of his arrest by the Arresting Officer 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) the petitioner shall pay the aforesaid amount of 50 per cent within four weeks from today to the concerned DISCOM and file a copy of receipt thereof before the I.O. within 15 days of such payment.

4. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3469 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

