

02.07.2024

Court No.29

Item No. 34

Allowed

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CRM (A) 2036 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Baguiati Police Station Case No. 283 of 2024 dated 18.05.2024 under Sections 135/138 of the Electricity Act, 2003.

And

In Re: **Sri Prabir Kumar Mondal & Anr.**

Petitioners

Mr. Bidyut Kumar Halder

Mr. Indranil Halder

For the Petitioners

Ms. Sayanti Santra

Mr. Subasish Datta

For the State

Ms. Sreyashee Biswas

For CESC Ltd.

1. Learned counsel for the petitioners submits that the all admissible dues have been paid by the petitioners.
2. Learned counsel for the CESC Ltd. on instruction submits that the petitioners have paid all the dues.
3. Considering the materials available in the case diary and the fact that all admissible dues have been paid by the petitioners, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners namely, **Sri Prabir Kumar Mondal & Sri Dipanjan Mondal** shall be released on bail upon furnishing a bond of Rs.5,000/-each, with one registered surety of like amount each, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall appear before the learned Additional Chief Judicial Magistrate, Barasat within two

weeks from date in connection with Baguiati Police Station Case No. 283 of 2024. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)