

02.07.2024

Court No.29

Item No. 36

Allowed

ar

CRM (A) 2038 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Jorasanko Police Station Case No. 17 of 2024 dated 09.02.2024 under Sections 135/138 of the Electricity Act, 2003.

And

In Re: **Ratnesh Shrivastava**

Petitioner

Mr. Bidyut Kumar Halder

Mr. Indranil Halder

For the Petitioner

Ms. Sonali Das

Mr. Tirupati Mukherjee

For the State

Ms. Sreyashee Biswas

For CESC Ltd.

1. On an undertaking that the petitioner shall deposit 50% of the amount finally assessed by CESC Ltd. within one week from date, we are of the view that custodial interrogation of the petitioner is not necessary.
2. Accordingly, we direct that in the event of arrest, the petitioner namely, **Ratnesh Shrivastava** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties 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 meet the Investigating Officer once in a week or as and when called for till the submission of the final report and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Calcutta within two weeks from date in connection with Jorasanko Police Station Case No. 17 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.

3. The statutory right of appeal against the final assessment is not, however, affected by this order.
4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
5. 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)