

12.07.2024
SL No.10
Court No.29
(gc)
(Allowed)

CRM (A) 2178 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Bowbazar Police Station Case No.113, dated 12.06.2024 under Sections 135 and 138 of the Electricity Act, 2003.

And

In the matter of : **Md. Sayeed Ahmed & Anr.**

- Petitioners.

Mr. Golam Mostafa,
Mr. Tarasankar Samanta,
Mr. S. Sardar

....For the Petitioners.

Mr. Santanu Talukdar

... For the State.

Ms. Sreyashee Biswas

....For the CESC.

1. Considering the fact that the learned Counsel for the petitioners submitted that without prejudice to the rights and contentions of the petitioners, the petitioners shall deposit 50% of the amount finally assessed with the Distribution Company within two weeks from date and that they shall cooperate with the investigation and the nature of the dispute between the parties, the prayer for anticipatory bail is allowed.
2. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Md. Sayeed Ahmed** and **Md. Nasim Ahmed**, shall be released on bail upon furnishing a bond of Rs.5,000/- each, with two registered sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973. It is further directed that the petitioners shall meet the Investigating Officer as and when required till the submission of the final report.

3. This order shall not prejudice the right of the petitioners in the event the statutory appeal is preferred and the statutory appeal may be decided uninfluenced by the observation made by us in this order.
4. Accordingly, the application for anticipatory bail is disposed of.
5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)