

10.07.2024
Court No.29
Item No. 22

Allowed

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CRM (A) 2291 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bishnupur Police Station Case No. 633 of 2024 dated 13.06.2024 under Sections 135(1)(a) of the Electricity Act, corresponding to ECno.499/24.

And

In Re: **Bharat Naskar @ Bharat Chandra Naskar**
Petitioner

Mr. Iqbal Hussain	For the Petitioner
Mr. Sujoy Sarkar	For the State
Mr. Aniket Mitra	For the WBSEDCL

1. The learned Counsel for the petitioner submits that the petitioner, without prejudice to his rights and contentions, shall deposit 50% of the amount provisionally assessed and shall cooperate with the investigation within a period of fortnight.
2. The learned Counsel for the State has produced the case dairy and has opposed the prayer for anticipatory bail.
3. The learned Counsel for the distribution company has submitted that the allegation is of pilferage.
4. Considering the materials available in the case diary and having regard to the fact that the petitioner is willing to deposit 50% of the amount provisionally assessed within a period of fortnight and shall cooperate with the

investigation, we are of the view that the custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest the petitioner namely, **Bharat Naskar @ Bharat Chandra Naskar**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two registered sureties of like amount each, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner shall meet the I.O. once in a fortnight till the submission of the final report. The petitioner shall appear before the learned Trial Court within two weeks from date and thereafter shall appear on each and every date of hearing.
6. In the event the petitioner fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
7. We make it clear that this is not a decision on merit with regard to the claim of the distribution company.
8. Accordingly, the prayer for anticipatory bail of the petitioners is allowed.
9. CRM (A) 2291 of 2024 is, thus, disposed of.
10. 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.)