

20.08.2024

Court No.29

Item No. 35

Allowed

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CRM (A) 2880 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajabagan Police Station Case No. 53 of 2024 dated 06.06.2024 under Sections 135/138 the Electricity Act, 2003.

And

In Re: **Md. Salim Raja**

Petitioner

Mr. Indranil Halder For the Petitioner

Ms. Sonali Das

Mr. Debadrita Mondal For the State

Ms. Sreyashee Biswas For CESC Ltd.

1. Heard the learned counsel appearing for the parties.
2. Learned counsel for the petitioner undertakes that the petitioner shall deposit 50% of the amount finally assessed by CESC Ltd. within four weeks from date.
3. Charge-sheet is stated to have been filed in the mean time.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the learned Special Judge, under Electricity Act, at Alipore 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) on payment of the 50 per cent amount as undertaken, a copy of the receipt thereof duly authenticated by the petitioner or

his advocate shall be filed before the Court in seisin over the matter within 15 days of the deposit.

ii) if the petitioner fails to comply the aforesaid condition, the liberty of anticipatory bail granted today shall be cancelled without reference to the Bench.

5. The petitioner is directed to appear before the I.O within two weeks from today along with a server copy or certified copy of this order.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. The learned Special Judge, under Electricity Act, at Alipore is hereby directed to act upon the server copy of this order, if required.
8. 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)