

05.09.2024
Court No.29
Item No. 43

Allowed

sg

CRM (A) 3108 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Pathar Patima Police Station Case No. 211 of 2024 dated 11.06.2024 under Sections 135(1)(a)/135(1)(b of the Electricity Act, pending before the learned Special Court, Electricity Act at Alipore.

And

In Re: **Bimal Kumar Bera**

Petitioner

Mr. Manoranjan Jana
Mr. Radhasyam Maity
Ms. Mitali Jana

For the Petitioner

Mr. Siladitya Banerjee
Mr. Abhinaba Mukherjee

For the State

Mr. Aniket Mitra

For the WBSEDCL

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 provisionally assessed by WBSEDCL within three 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 Court, 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.
 5. The learned Special Court, Electricity Act at Alipore, South 24 Parganas, is hereby directed to act upon the server copy of this order, if required.
 6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)