

06.09.2024
Court No.29
Item No. 13
BM/Aloke

CRM (A) 3133 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 Chanchal Police Station Case No. 45 of 2021 dated 10.01.2021 under Sections 135(1)(b) of the Electricity Act, pending before the learned Special Court, 1st Court, Malda.

And

In Re: **Harun Al Rashid & Anr.**

Petitioners

Mr. Tirthankar Dhali
Mr. Sayantan Adhya
Ms. P. Chowdhury
Mr. N.H. Choudhury

... For the Petitioners

Mr. Anindya Sundar Chatterjee

... For the State

Mr. Aniket Mitra

... For the WBSEDCL

1. Heard the learned counsel appearing for the parties.
2. It is submitted on behalf of the Distribution Company that the finally assessed amount in respect of the petitioner no.1 is Rs.9,03,764/- and in respect of the petitioner no.2 is Rs. 5,58,654/-
3. Learned counsel for the petitioners undertake that the petitioners shall deposit 50% of their finally assessed amount by WBSEDCL respectively, within three weeks from date.
4. Charge-sheet is stated to have been filed in the mean time.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioners, 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, 1st Court, Malda, 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 of respectively assessed finally, as undertaken, a copy of the receipt thereof duly authenticated by the petitioners or his advocate shall be filed before the Court in seisin over the matter within 15 days of the deposit.
 - ii. If the petitioners fail to comply the aforesaid condition, the liberty of anticipatory bail granted today shall be cancelled without reference to the Bench.
5. The petitioners are 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 petitioners is allowed and the same is accordingly disposed of.
 6. The learned Special Court, 1st Court, Malda, is hereby directed to act upon the server copy of this order, if required.
 7. 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.)