

30.09.2024
Court No.29
Item No. 31

Allowed

sg

CRM (A) 3481 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 Panrui Police Station Case No. 136 of 2024 dated 21.08.2024 under Sections 135(1)(a) of the Electricity Act 2003.

And

In Re: **Sk. Alef**

Petitioner

Mr. Saiful Alam

For the Petitioner

Mr. Anand Keshari
Ms. Sudeshna Das

For the State

Mr. Aniket Mitra

For the WBSEDCL

1. We have 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 WBSEDCL within four weeks from date.
3. It is submitted on behalf of the State that charge sheet has not been submitted.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation and nature of offence, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer of 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. as and when required.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.]
7. The report filed by the WBSEDCL in Court is kept with the record.
8. We make it clear that we have not gone into the merits of the matter. In the event an appeal is preferred, the appellate authority shall decide it on merits without being influenced by the observation of this order.
5. 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.)