

04.01.2024

06
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 4808 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagardighi** Police Station Case No. **146** of **2020** dated **17.3.2020** under Section 135(i)(a) of the Indian Electricity Act, 2003.

And

In re: Akbar Ali

..... petitioner

Sk. Safiuddin

....for the petitioner

Ms. Kum Kum Mitra

....for the State

Mr. Aniket Mitra

..for the WBSEDCL

The application for anticipatory bail is taken up for consideration subsequent to the order dated October 17, 2023 by the Coordinate Bench.

By such order dated October 17, 2023, the petitioner was enlarged on an interim anticipatory bail.

It is submitted at the bar that, the order granting interim anticipatory bail was passed just prior to the ensuing puja vacation without considering the materials in the case diary.

The petitioner deposited 50% of the final assessment bill with the Distribution Company pursuant to the order dated December 22, 2023.

There subsists an interim order of anticipatory bail dated October 17, 2023 passed by the Coordinate Bench.

In such circumstances, we confirm the interim order dated October 17, 2023.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer as and when called for by the Investigating Officer and on condition that the petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

