

22.01.2024
Court No.29
Item No. 118
AP

CRM (A) 4902 of 2023

In re : An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Shibpur** Police Station Case No. **374** of **2023** dated **09.10.2023** under Section **135** of the Electricity Act, 2003 (Electricity Case No.391 of 2023).

-And-

In the matter of : **Biswajit Samanta and Anr.**

... ..Petitioners.

Mr. Madan Mohan Roy

... .. For the Petitioners.

Ms. S. Biswas

... ..For the CESC.

Ms. Sutapa Banerjee

... ..For the State.

The petitioners complied with the order dated January 10, 2024 and deposit 50% of the final assessment amount without prejudice to the rights and contentions of the parties.

Considering the compliance with the order and the materials in the case dairy, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners shall report before the Investigating Officer as and when called for till the conclusion of the investigation and on further condition that the petitioners 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

Hence, the application for anticipatory bail is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)