

CRM (A) 2001 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Khejuri Police Station Case No.118 of 2024 dated 21.03.2024 under Section 304 IPC and Section 135(1)(a) of the Electricity Act, 2003.

And

In the matter of : **Swapan Purkait.**

- petitioner.

Mr. Sk. Jayed Hossain
.... for the petitioner.

Mr. Ashok Das
... for the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated. It is submitted that the petitioner is in the business of betel leaves and has been carrying on such business for quite some time without any allegation of illegal hooking of electricity.
2. The learned Counsel for the State in opposing the prayer submits that the victim died due to electrocution caused by the hooking of the petitioner.
3. Considering the materials available in the case diary and the nature and involvement of the petitioner in the commission of the alleged offence, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Swapan Purkait** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and also subject to the

conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer of the case once in a week. The petitioner shall not leave the jurisdiction of the Khejuri police station till submission of the final report without the leave of the Special Court (Electricity), Purba Medinipur in connection with Khejuri Police Station Case No. 118 of 2024.

5. It is further directed that the present accused petitioner shall appear before the learned Additional District and Sessions Judge, M.A.C.C. Tribunal Judge, 1st Court, Tamluk/Judge, Special Court, Purba Medinipur at Tamluk within two weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)