

11.07.2022
cm/ct 28

C.R.M. (DB) 2165 of 2022

sl. no. 24

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Uluberia P.S Case No. 174 of 2022** dated **11.06.2022** under Sections **147/148/149/435/436/427/295A/323/379/34** of the Indian Penal Code and Sections 3 /4 of the Explosive Substances Act.
And

Rejected

In Re : Mijanur Kazi @ Saheb

..... petitioner

Mr. Sekhar Kumar Basu, Ld. Sr. Adv.
Mr. Syed Nasirul Hossain
Mr. Kusal Kumar Mukherjee

..... for the petitioner

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

..... for the State

Petitioner submits he is in custody for about 30 days. It is submitted that he is not named in the First Information Report.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner along with other accused persons participated in widespread rioting and destruction of properties and/or offices belonging to a particular political party. On his leading statement, incriminating weapon was recovered.

We have considered the materials on record. Petitioner and other accused persons unleashed widespread violence and rioting in the district. Statements of witnesses prima facie show they caused extensive damage to properties and offices of a particular political party. There are materials on record disclosing involvement of the petitioner in the crime. On his leading statement, incriminating weapon was also recovered.

In view of the aforesaid incriminating materials on record and nature of offence spreading enmity amongst community and affecting public order and the short period of detention suffered by the petitioner, we are not inclined to grant bail to him at this stage.

Investigation Officer is present. His presence is noted and dispensed with.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)