

30.11.2022
SI. No.27
akd
[ALLOWED]

C. R. M. (DB) 4210 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.11.2022 in connection with Jorasanko Police Station Case No. 231 dated 13.09.2022 under Sections 143/148/149/333/307 of the Indian Penal Code. (G.R. Case No.11094 of 2022)

And

In Re: **Raja Biswas**

... .. Petitioner

Ms. Priyanka Tibrewal
Mr. Francis Samson Corkia
Mr. Pritam Roy
Mr. Ayan Paul

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 78 days. It is further submitted petitioner has been falsely implicated in the instant case due to his political affiliation.

Learned advocate appearing for the State opposes the prayer for bail and submits petitioner assaulted police personnel who suffered injuries. CCTV footage implicates him in the crime. He was also identified in the Test Identification Parade.

We have considered the materials on record. Petitioner was the member of a political rally which subsequently turned unruly. Injuries suffered by the victim are minor and simple. Balancing the nature of accusation with the period of detention suffered by the petitioner, we are of the opinion further detention of the accused/petitioner is not necessary.

Therefore, the accused/petitioner, namely **Raja Biswas**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten

thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Metropolitan Magistrate, 1st Court at Calcutta subject to condition that the said petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event he fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel his bail automatically without reference to this court.

The application for bail, thus, stands **allowed**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)