

14.06.2021

Court No.30
Item No.08
(DISMISSED)

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&
ab

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT
JALPAIGURI**

(Via Video Conference)

CRM 618 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Matigara Police Station Case No. 150 of 2021, dated 02.03.2021 (G.R. Case No. 784 of 2021) under Sections 417/376 of the Indian Penal Code.

And

In the matter of : **Karan Mallick**

...Petitioner

Mr. Joydeep Kanta Bhowmik.

...For the Petitioner

**Mr. Tapan Bhattacharjee,
Mr. Biswarup Roy.**

...For the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that, the complaint is a result of a relationship going sour. The complainant is a major. The petitioner and the complaint were in a relationship for over five years. The allegation of rape cannot be sustained. He seeks anticipatory bail to the petitioner.

Learned Advocate for the State submits that, the complainant recorded her statement under Section 164 of the Code of Criminal Procedure, where she named the petitioner as the principal accused and alleged rape against him.

In view of the statement under Section 164 of the Code of Criminal Procedure made by the complainant, we are not inclined to grant anticipatory bail to the petitioner.

CRM 618 of 2021, is dismissed accordingly.

(Debangsu Basak, J.)

(Aniruddha Roy, J.)

