

11.07.2022.

Ct.No. 1

Item No. 24

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*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE*

C.R.M. (A) 341 of 2022

In Re:- An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973, filed on 08.07.2022 in connection with Cooch Behar Sadar Women Police Station Case No. 02 of 2021, dated 04.01.2021 under Sections 376/506 of the Indian Penal Code.

And

In the matter of : **Kartik Adhikari**

...petitioner

Mr. Jagriti Mishra,
Ms. Ananya Bhattacharya,
Mr. Subham Gupta,
Mr. Debayan Goswami,
Mr. Keshab Kumar

...For the petitioners

Mr. Abhijit Sarkar,
Mr. Aniruddha Biswas

.....For the State

An application for anticipatory bail is made on behalf of the petitioner. The petitioner is the brother-in-law of the victim girl. He is stated to have taken to her in a hotel, where she went voluntarily. The victim girl is stated to have been ravished in the said hotel room.

This Court has carefully considered the Case Diary, particularly, the medical report. The medical opinion indicates that there is evidence of forced sexual assault. As to whether the petitioner, abusing his dominant,

respectable position of a brother-in-law, has induced and/or coerced the victim into physical relations, needs to be ascertained in course of investigation and trial.

In those circumstances, this Court is not inclined to entertain the application for anticipatory bail of the petitioner.

Hence, C.R.M. (A) 341 of 2022, shall stand rejected at this stage.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)