

14. 04.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE
CRM (DB) 265 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **Alipurduar Women Police Station Case No. 83 of 2022** dated **05.11.2022** under Section **6** of the POCSO Act, 2012 read with Sections **341/376DA/506/120B/34** of the Indian Penal Code, 1860.

And

In the matter of: - **Mrinal Adhikary**

...petitioner.

Ms. Mousumi Das, Adv.

...for the petitioner.

Mr. Tapan Bhattacharjee, Adv.,

Mr. Dhiman Sil, Adv.

...for the State.

Heard learned Advocate for the petitioner and learned Advocate for the State at length.

There is an allegation of gang rape upon the victim at the instance of the present accused petitioner and the other co-accused persons. It appears from the case diary that the present accused petitioner has been identified in the Test Identification (T.I.) Parade.

Such being the position, we consider that it is not a fit case for granting bail to the present accused petitioner and accordingly the prayer for bail is rejected.

The application for bail being CRM (DB) 265 of 2023 is, accordingly dismissed.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)