

10.08.2023

SL. 3

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 2916 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Laketown** Police Station Case No. **24** of **2022** dated **07.02.2022** under Sections **498A/406/467/468/379/120B** of the IPC (corresponding to G.R. Case No. 176 of 2022 pending before the Ld. CJM, Bidhannagar, North 24 Parganas).

And

In the matter of: **Sri Koushik Biswas & Anr.**

....petitioners.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

...for the petitioners.

Mr. S. G. Mukherji, Ld. PP
Md. Anwar Hossain
Ma. Sreyashee Biswas

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioner no. 1 is an advocate and the petitioner no. 2 is the law clerk of petitioner no. 1. To avoid right of residence to the wife granted in a proceeding under the Domestic Violence Act, the husband of the informant/wife is alleged to have sold the apartment. The present petitioners are alleged to have prepared the sale deed etc.
3. We do not find any criminality in the action of the present petitioners as the husband of the informant/wife was the lawful owner and he wanted to sell the property.
4. Investigation is stated to have completed in the meantime.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of

their arrest by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2916 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

