

**22.04.2024**  
DL-387  
Court No.29  
(SKB/SB)  
(Allowed)

**C.R.M. (A) 1395 of 2024**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manbazar** Police Station Case No.**06 of 2024** dated **30.01.2024** under Sections **341/323/325/34** of the Indian Penal Code and added Sections **326/354/307** of the Indian Penal Code.

And

In the matter of: **Riju Tantubai @ Tantubay and others**  
....petitioners.

Mr. Pawan Kumar Gupta,  
Mr. Sougata Mitra,  
Mr. R. Sinha,  
Ms. Soma Chakraborty

...for the petitioners.

Mr. Aninda Sundar Chatterjee

... for the State.

Mr. Sanat Kumar Das,  
Mr. Sujan Chatterjee,  
Mr. Souparna Sinha,

... for the defacto complainant.

An incident of assault took place amongst the family members where, one person suffered injuries. Such injured person was initially treated at the Manbazar Rural Hospital where, the injuries noted cut injuries and were classified as simple injuries.

Thereafter the injured was treated at a private medical centre where, a C.T. scan was done. Such C.T. scan apparently claims that, there was a fracture on the left parietal bone of the injured.

Defacto complainant and the State are represented.

In view of the initial injury report not tallying with the subsequent C.T. scan report, and in view of the fact that the first injury report is at a government facility, we are of the view that it is appropriate that the benefit of doubt should be extended to the petitioners.

Under such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once a week till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

**C.R.M. (A) 1395 of 2024** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**