

19.11.2020
Court No. 16
Item No.20
(D/L)
akd & ab

CRM 8726 of 2020
(Via Video Conference)

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure in connection with Bishnupur Police Station Case No. 61 of 2020 dated 06.06.2020 under Sections 498A/304B/302/34 of the Indian Penal Code.

and

In the matter of: Binodini Byapari

..... Petitioner

Mr. P. K. Gupta,
Mr. Tarun Kumar Sur,
Ms. Nibedita Barui,
Ms. Sofia Nesar.

.....for the Petitioner

Mr. Saswata Gopal Mukherjee. Ld. P. P.
Mr. Aniket Mitra.

..... for the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that her daughter-in-law died of burn injuries suffered in course of a kitchen accident and the petitioner had no role therein.

The State refers to a dying declaration in which the victim clearly mentioned that her mother-in-law set her ablaze with a gas lighter after pouring kerosene on her.

The petitioner, however, refers to what appears to be a part of the bed-head ticket where the statement of the victim has been recorded but the same appears to be somewhat equivocal. According to the petitioner, what the victim meant to say was that it may have either been an accident or a case of the victim committing suicide. However, even the most charitable interpretation of the second part of the statement referred to by the petitioner would imply that someone other than the victim herself poured kerosene on the victim and set her ablaze.

Bride burning has been a bane of the Indian society. More often than not, female members at the matrimonial home are responsible for the maximum torture inflicted on a bride. In the present case, the material against the petitioner does not warrant any latitude being shown to her.

The prayer for bail is rejected.

CRM 8726 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J)