

25.06.2021

Court No.28
Item No.27
(Rejected)

Akd
&
As

CRM 2422 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed in connection with Bishnupur Police Station Case No. 61 of 2020, dated 06.06.2020 under Sections 498A/302/304B/34 of the Indian Penal Code (G. R. Case No. 294 of 2020).

And

In the matter of : **Binodini Bapari.**

...Petitioner

Mr. Malay Bhattacharyya.

...For the Petitioner

Mr. Saswata Gopal Mukherjee, Ld. P.P.,

Mr. Debabrata Chatterjee, Ld. A.P.P.,

Ms. Manasi Roy.

...For the State.

The Advocate on Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail under Section 439 of the Code of Criminal Procedure after being arrested in connection with Bishnupur Police Station Case No. 61 of 2020 under Sections 498A/302/304B/34 of the Indian Penal Code.

This is a second application for bail at the instance of the petitioner. Though the husband and the father-in-law of the victim lady had been granted bail, but the petitioner's application for bail was rejected on 19th November, 2020 in CRM 8726 of 2020 on the basis of the dying declaration of the victim lady.

We have perused the dying declaration constituting part of the case diary, wherefrom it appears that the mother-in-law, the petitioner herein, set her ablaze with a gas lighter after pouring the kerosene oil on her. Though the learned Advocate appearing for the petitioner is very much vocal in his submission that the victim lady did not reveal the name of the petitioner in her first statement made before the attending Doctor, yet we find after perusing the same that there is uniformity in the statement.

Even the Co-ordinate Bench on an earlier occasion has categorically recorded that there is a direct allegation against the present petitioner on her role in commission of offence. We do not find any changed circumstances after the first rejection of an application for bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail, being CRM 2422 of 2021, is thus **dismissed.**

(Harish Tandon, J)

(Subhasis Dasgupta, J.)