

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (ABA) NO. 159 OF 2017

(SAU. KALPANA HARIBHAU AHER...VS.. STATE OF MAH. THR. P.S.O. SHENDURJANA GHAT, DIST.
 AMRAVATI)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P.R.Agrawal, Advocate for Applicant.
 Shri A.D.Sonak, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 21, 2017.

Heard.

The applicant, woman aged bout 50 years, has sought pre-arrest bail apprehending arrest in crime registered against her for the offences punishable under Sections 328, 511 and 201 of the Indian Penal Code. The accusations against the applicant are that while working as cook in Ashram School she has mixed some poisonous substance in the food which was to be served to the students. The facts on record show that the Chemical Analyzer's report shows that ginger garlic paste seized from kitchen contained Rodenticide Aluminum Phosphide, consumption of which is dangerous for human beings. Fortunately, the food is not consumed by any of the students.

The contention of the applicant is that there are six cooks working in the kitchen and the allegations made against her are false. The learned advocate for the applicant has submitted that the services of the applicant are terminated.

The non-applicant has not been able to show that the custody of the applicant is required for further

investigation. The applicant is granted interim protection by the order passed by this Court on 16th March, 2017. The non-applicant has not complained that the applicant has misused the interim protection or has not co-operated with the investigation.

In the above facts, I am of the view that the interim order passed on 16th March, 2017 granting protection to the applicant is required to be confirmed, however, on condition as imposed by this order.

In the event of arrest in Crime No.362/2016, registered by the non-applicant, the applicant be released on bail on executing P.R. Bond for Rs.Fifteen Thousand and on furnishing one solvent surety in the like amount.

The applicant shall not enter the school premises and the hostel and kitchen of the school till conclusion of the trial.

The application is **allowed** in the above terms.

JUDGE

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