

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

936 BAIL APPLICATION NO.1890 OF 2022
WITH APPLN/3747/2022 IN BA/1890/2022

ALISHAN BEGUM W/O. FARIDKHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Bhosle Abhaysinh K.
APP for Respondent-State : Ms. V. S. Choudhari.
Advocate for Complainant to assist APP : Mr. G. P. Darandale.

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CORAM : S. G. MEHARE, J.
DATE : 02.12.2022

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the complainant.
2. Learned APP and learned counsel for the complainant strongly opposed the application.
3. It is a dispute between husband, wife and child. The cause of dispute was the second marriage of the first informant. The applicant and his son were asking the first informant to pay lumpsum amount, as he used to stay with his second wife. The applicant has a case that the first informant has also assaulted her with hammer. She was admitted in the

hospital and from hospital she was arrested. She has played no role. There appears substance in the contention of the learned counsel for the applicant. She was simply present with her son on the spot of the incident and requesting her husband to pay them money and the incident happened. Considering the allegations levelled against her, it would be inappropriate to keep her behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ALISHAN BEGUM W/O. FARIDKHAN PATHAN** be released on bail on furnishing P.B. and S.B. of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety of the like amount, in Crime No.855 of 2022, registered by Police Station MIDC Waluj, District Aurangabad, for the offence punishable under Section 307 read with Section 34 of the IPC.
- (iii) Criminal application No.3747 of 2022 to assist the learned APP is allowed.

(S. G. MEHARE, J.)

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vmk/-