

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

41 BAIL APPLICATION NO.378 OF 2023

MOMINA BEE HARUN PATHAN @ MOMINA BEE HARUN
KHAN MEWATI
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 27.03.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. This is a case wherein the present applicant consumed herself and administered poison to her children. The FIR reveals that she had a quarrel with her husband. She did not cook, so her co-sister brought a cooked food. She administered, 'Ratol' poison used for killing the rats to her children. She and her two children admitted to the hospital. Unfortunately, the children died and she survived. On this fact, the crime of murder has been registered against the applicant.
3. The FIR itself reveals that it was an act out of the anger. She had also consumed poison. In the circumstances, whether

she had an intention to kill is a matter of evidence to be tested during the course of the trial. Investigation has been completed. Nothing is to be recovered from her. No purpose would be served keeping her behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **MOMINA BEE HARUN PATHAN @ MOMINA BEE HARUN KHAN MEWATI** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.291 of 2022, registered by Police Station Sillod Rural, District Aurangabad, for the offences punishable under Sections 302, 309, 201 of the IPC, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-