



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

BAIL APPLICATION NO. 707 OF 2026

Monali W/o Rahul Barhate,
Age : 30 years, Occu. : Labour,
R/o. Rameshwar Colony, Jalgaon ... Applicant

VERSUS

The State of Maharashtra,
Through MIDC Police Station,
Taluka and District Jalgaon ... Respondent

...
Advocate for Applicant : Mr. Chaitanya C. Deshpande
Addl.P.P. for Respondent/State : Mr. A.R. Kale

CORAM : SHAILESH P. BRAHME, J.

DATE : 30.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking enlargement on bail in connection with Crime No.788 of 2025, registered with MIDC Police Station, Dist. Jalgaon for the offences punishable under Section 103(1), 109, 109(2), 111, 118(1), 115(2), 351(3), 3(5) of Bharatiya Nyaya Sanhita, 2023, under section 3/25, 7/25 of Arms Act, under section 37(1), 37(3), 135 of the Maharashtra Police Act.

3. It is alleged that applicant's husband - Rahul, who is also co-accused, was running a pan stall near Vijeta Company, which is run by Ahtesham Shaikh. There were disputes between co-accused Rahul and the employees of the company. The employees had requested their Manager Mohammad Afzal Jalaloddin to intervene in the matter on 02.11.2025. Rahul called his wife i.e. present applicant and obtained a pistol. He fired two bullets. Informant is injured by one bullet and another bullet targeted the deceased Rajan. Applicant is arrested on 04.11.2025. Charge-sheet is filed on 18.01.2026.

4. It is contended that there is absolutely no overt act on the part of the applicant except supplying the firearm to the accused no. 1. Applicant had no *mens rea* or motive to eliminate either the informant or deceased. Applicant was not aware as to exactly the nature of the quarrel on the relevant day. There is reason to infer that she is not sharing any common intention and she did not expect that her husband would go to such an extreme stage. She has two children and parents to be looked after.

5. APP submits that there is incriminating material collected against both the accused. There are number of eye witnesses to disclose the involvement. The witnesses are independent and specific role is attributed to the applicant.

6. There is no dispute that applicant is a married woman and she has two children and senior members in the family who are dependent upon her and her husband. The only role attributed to the applicant in the episode is that she brought a pistol and handed over it to her husband - Rahul who fired bullets at the informant and the deceased.

7. No material is collected to infer that applicant was acting in collusion with accused no. 1 and she had motive to eliminate either informant or the deceased. There is reason to believe that she might not be knowing that her husband would commit murder of the person concerned.

8. The investigation is over and no antecedents are reported against her. Considering the nature of the allegations, I propose to grant relief to the applicant.

9. I, therefore, pass the following order :-

I] The Bail Application is allowed.

II] The applicant shall be released on bail in connection with Crime No. 788 of 2025, registered with MIDC Police Station, Dist. Jalgaon for the offences punishable under Section 103(1), 109, 109(2), 111, 118(1), 115(2), 351(3), 3(5) of Bharatiya Nyaya Sanhita, 2023, under section 3/25, 7/25 of Arms Act, under section 37(1), 37(3), 135 of the Maharashtra Police Act, on following conditions:

(a) The applicant shall furnish P.R. bond of Rs.30,000/- (Rs. Thirty Thousand only) with one solvent surety of like amount.

- (b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.
- (c) The applicant shall furnish his mobile/cell number and address to the investigating officer.
- (d) The applicant shall co-operate for expeditious disposal of the trial.
- (e) The applicant shall surrender Adhaar / PAN Cards, if any, to the Investigating Officer.

(SHAILESH P. BRAHME, J.)

arp/-