THE HIGH COURT OF MADHYA PRADESH

M.Cr.C. Nos.23685/2020, 23683/2020, 24305/2020 & 24320/2020

(Budhraj Patel and others Vs. State of Madhya Pradesh)

Jabalpur, Dated: 30/07/2020

Shri Sharad Verma, learned counsel for the applicants in M.Cr.C. Nos.23685/2020 & 23683/2020.

Shri Sanjay Ram Tamrakar, learned counsel for the applicants in M.Cr.C. Nos.24305/2020 & 24320/2020.

Shri Ritwik Parasar, learned P.L. for the respondent-State.

With the consent, finally heard.

These bail applications under Section 438 of the Code of Criminal Procedure, 1973 have been filed by the applicants for grant of anticipatory bail in connection with Crime No.260/2020 for the offences punishable under Sections 420, 120-B, 511 & 34 of IPC registered at Police Station Gotegaon, District Narsinghpur.

Learned counsel for the applicants submit that the applicants have been falsely implicated. The present applicants are similarly situated *qua* other co-accused persons who got anticipatory bail in M.Cr.C. Nos.19495/2020 (*Devi Prasad Tiwari Vs. State*), 18822/2020 (*Kalyan Singh Lodhi Vs. State*) and 18812/2020 (*Rajendra Singh Patel Vs. State*). By applying the principle of parity, the present applicants may be given benefit of anticipatory bail. They will not tamper the materials or influence the evidence in any manner.

Prayer is formally opposed by Shri Parasar, learned P.L. However, he fairly submitted that the present applicants are similarly situated *qua* the other persons against whom parity is claimed.

Since indisputably the applicants are claiming parity and it is not disputed that case of the present applicants is similar to aforesaid three persons who have been given anticipatory bail by this Court, I deem it proper to give benefit of anticipatory bail on the ground of parity.

Accordingly, in the event of arrest, the applicants **Budhraj Patel**, **Suresh Kumar**, **Devendra Dubey** and **Nitesh Patel** be released on anticipatory bail on their furnishing a personal bond in a sum of **Rs.30,000/-** (**Rs. Thirty Thousand**) along with one surety each in the like amount to the satisfaction of Arresting Officer for their appearance before the Investigating Officer during the course of investigation as and when directed.

Conditions of Section 438(2) Cr.P.C. shall also apply on the applicants during currency of bail.

M.Cr.Cs. are disposed of.

C.C. as per rules.

(Sujoy Paul)
Judge

Biswal

SHIBA NARAYAN BISWAL
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