

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.533 OF 2023

SANJAY HIRALAL AGRAWAL
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. A. D. Gade
APP for Respondents: Mr. G. O. Watamwar

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CORAM : R.M. JOSHI, J

DATE : AUGUST 23, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 68 of 2023 registered with Nanalpeth Police Station, Dist. Parbhani for the offences punishable under Sections 380, 414, 506, 34 of the Indian Penal Code.

2. Learned Counsel for the Applicant states that similarly placed accused are already granted anticipatory bail by this Court and hence, he is entitled to get pre-arrest bail on parity.

3. Learned APP opposed the application by relying upon the statement of witnesses which according to him indicates that present Applicant is instrumental for the commission of the said crime. Thus, according to him,

parity does not apply.

4. Perusal of the FIR indicates that similar role is alleged against all accused persons. Undisputedly co-accused are granted anticipatory bail by this Court by order dated 28.03.2023. There is nothing on record to indicate that the said order was challenged at any point of time. Having regard to the similar nature of allegations against the present Applicant and co-accused, who are enlarged on bail, the Applicant cannot be denied parity.

5. In view of above, application is allowed by confirming order dated 18th April, 2023.

(R.M. JOSHI, J.)

Malani