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MCRC-16377-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL

ON THE 25<sup>th</sup> OF APRIL, 2025MISC. CRIMINAL CASE No. 16377 of 2025*PRAFUL PATEL @ GOLU**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Manish Datt, Senior Advocate with Shri Shubham Mishra, counsel for the applicant.*

*Shri N.S.Solanki, P.L. for respondent/State.*

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WITH

MISC. CRIMINAL CASE No. 17613 of 2025*ADITYA PATEL**Versus**THE STATE OF MADHYA PRADESH*

.....  
Appearance:

*Shri P. S.Thakur, counsel for the applicant.*

*Shri N.S.Solanki, P.L. for respondent/State.*

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ORDER

This third application of applicant Praful Patel while second application of applicant Aditya Patel has filed under Section 483 of BNSS, 2023 (Section 439 of the Cr.P.C., 1973) for grant of regular bail relating to FIR No.485/2023, dated 07.10.2023 registered at Police Station - Mangawan, District Rewa (M.P.) for commission of offence punishable under Sections 8, 21, 22, 25 and 25A of NDPS Act, 1985 and Section 5/13 of M.P. Drugs (Control) Act. Applicant is in detention since 07.10.2023.

2. Applicants earlier bail applications were dismissed as withdrawn and not pressed vide orders dated 09.05.2024, 12.03.2025 and 15.01.2025 passed in



M.Cr.C.Nos.6645/24, 7748/25 and 29665/2024 respectively.

3. As per the prosecution story, on 07.10.2023 on the basis of the secret information received from the informer that Anand Patel and Ravendra Patel alias Ravi along with Arpit Gupta are indulged in selling cough syrup having codeine phosphate and Ravendra Patel alias Ravi travelling in TATA container bearing registration number M.H-04-KU-4250 is bringing a huge cache of aforesaid cough syrup from Priyagraj and will reach Kuiya Kala Mangawa at around 03:00 - 04:00 P.M and Arpit and Anand Patel would unload the same and consignment would be kept at some hidden place. Information was recorded. After following due procedure, Police party proceeded towards village Kuiya Kala Canal. When they reached Kuiya Kala Canal they found a container parked there. One tractor and one Bolera car were also standing there. Devidas Totare R/o Anjur Bihwadi, Police Station Thane, Maharashtra met. He was the driver of TATA container bearing registration number MH-04-KU-4250. In search of container six white colour sacks and 300 box of Joy cream were found loaded. One Swarj tractor bearing registration number MP-17-AA-5828 with trolley was also parked there and Praful Patel alias Golu was sitting on the driver seat. Ravendra Patel alias Ravi was found sitting in trolley and in it 17 white colour sacks were kept. One Bolero car bearing registration number MP-65-BB-0310 was also there and on it Satish Sondhiya was sitting on the driver seat while Aditya Patel and Harshlal Patel were sitting on the middle seat. On the rear and middle seat of Bolero 9 white colour sacks were found kept. Panchanama was prepared. Applicants were informed about their right of giving search to some Gazetted Officer or Magistrate, but they agreed to give search to Police Inspector. In search of the container 12 cartons were found kept in 6 sacks and from every carton 120 - 120 Onerex cough syrup having codeine phosphate were seized while from the tractor



of Praful Patel alias Golu and Ravendra Patel alias Ravi. 34 carton kept in 17 sacks were seized and in total 4080 bottles of Onerex cough syrup having codeine phosphate were seized whereas from Satish Sondhiya, Aditya Patel and Harshlal Patel's Bolero 18 cartons kept in 09 sacks were seized and 2160 bottles of Onerex cough syrup having codeine phosphate were seized. Seizure panchnama were prepared. Applicants could not produce any license, medical prescriptions or other valid documents to keep such a huge quantity of contraband in their possession. In total 7680 Onerex cough syrup bottles having codeine phosphate were seized. After investigation charge sheet has been filed.

4. Learned counsel for the applicants have submitted that applicants are seeking bail on the ground of parity as co-accused Ravendra Patel @ Ravi from whom contraband was seized has been released on bail by the Hon'ble Apex Court.

5. On the other hand, learned counsel for the respondent/State has opposed the prayer for grant of bail.

6. This court vide order dated 15.01.2025 passed in M.Cr.C.No.35089/2024 had dismissed the bail application of Ravendra Patel @ Ravi holding that in total 7680 bottles of Onerex cough syrup having codeine phosphate were seized. The said order was assailed before the Supreme Court by filing SLP (Crl.) No.1882/2025 (Ravendra Patel @ Ravi Vs. State of M.P.). The Hon'ble Apex Court vide order dated 04.04.2025 has interfered in the order dated 15.01.2025 and has released Ravendra Patel @ Ravi on bail. The case of the present applicants is identical to the case of co-accused Ravendra Patel @ Ravi who has been released on bail by the Apex Court. Therefore, on the ground of parity and being similarly situated, applicants Praful Patel @ Golu and Aditya Patel too deserve to be released on bail. Consequently, these bail applications under 483 of BNSS, 2023/439 of



Cr.P.C for grant of bail filed on behalf of applicants, stands **allowed**.

7. It is directed that **applicants- Praful Patel @ Golu and Aditya Patel** be released on bail on their furnishing a personal bond in the sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** each with two solvent sureties of **Rs .1,00,000-1,00,000/-each** to the satisfaction of the trial Court, for their regular appearance before the trial Court during trial with a condition that they shall remain present before the concerned Court on all the dates fixed by it during trial. They shall abide by all the conditions enumerated under Section 480(3) of BNSS, 2023/437(3) of Cr.P.C.

8. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL)  
JUDGE

MKL