

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3299 of 2023**

Arising Out of PS. Case No.-290 Year-2022 Thana- GARDANIBAG District- Patna

Jitendra Kumar Yadav Son Of Garib Yadav Resident Of Ballabhpur, Bhatwan,  
P.S.- Hasanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rahul Singh Son Of Kalpnath Singh Resident Of R.C.115, Azad Bihar,  
Khoda Colony, Gaziabad, Pin-201309 (UTTAR Pradesh).

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Masoom Alam

For the Opposite Party/s : Mr. Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      17-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

This application has been filed for grant of regular bail arises out of Gardanibagh P.S. Case No. 290 of 2022, registered for the offence punishable under Sections 407, 420, 468 of the Indian Penal Code and Section 407, 420/34 of the Indian Penal Code.

Mr. Anil Kumar, the Sub Inspector of Gardanibagh Police Station has appeared in person and has submitted that investigation of the case is going on. The allegation is of cheating of the huge amount of more than 5 crores by the petitioner and others accused. The investigation is still pending.



The prayer of the petitioner for quashing such F.I.R. cannot be entertained in the light of the judgment of Hon'ble Surpeme Court in the case of *M/s Neeharika Infrastructure Pvt. Ltd. V. State of Maharashtra and others AIR 2021, Supreme Court 1918*, this application is dismissed.

The Investigation Officer, Gardanibagh Police Station is directed to take steps in the investigation. The Superintendent of Police, Central Patna shall take interest in the matter so that the investigation proceeds in the right direction.

Let a copy of this order be communicated to the Senior Superintendent of Police, Patna for its compliance forthwith.

**(Sandeep Kumar, J)**

Ranjeet/-

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