

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23645 of 2023

Arising Out of PS. Case No.-409 Year-2021 Thana- CHANDAUTI District- Gaya

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1. BALESHWAR YADAV S/O LATE RAM RATAN YADAV Resident of Village- Kajraila, P.S.- Guraru, District- Gaya.
 2. SUNIL YADAV @ SUNIL KUMAR S/O LATE VILAN YADAV Resident of Village- Ghutiya P.S.- Magadh Medical District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-07-2023 This application has been filed for quashing the F.I.R. of Chandauti P.S. Case No. 409 of 2021 registered for the offences under Sections 385, 387/34 of the IPC pending in the Court of learned A.C.J.M.-III, Gaya.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have falsely been implicated in this case due to land dispute.

Serious allegation of capturing of land and extortion of money has been made against the petitioners in the town of Gaya.

Such kind of F.I.R. cannot be quashed without investigation.



In view of the law laid down by the Hon'ble Supreme Court in the case of *Neeharika Infrastructure Pvt Ltd. V. State of Maharashtra and others (2020) 10 SCC 118*, this application is dismissed.

The Senior Superintendent of Police, Gaya is directed to get the matter investigated properly within a reasonable time so that innocent people do not loose their property at the hands of the criminals.

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

(Sandeep Kumar, J)

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