

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (DB) No.719 of 2006

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

Shashi Shekhar Prasad, son of late Suresh Prasad, resident of village Saidpura, P.S. Khagaul, district Patna Appellant

Versus

The State of Bihar Respondent

Appearance :

For the Appellant : Mr. Ashok Kumar Yadav, Adv.

For the Respondent : Mr.

CORAM: HONOURABLE MR. JUSTICE DHARNIDHAR JHA

and

HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE DHARNIDHAR JHA)

Date: 05-02-2015

A supplementary affidavit has been filed by the learned counsel for the appellant, which is sworn by one Kanhaiya Prasad, claiming himself to be the brother of the solitary appellant, Shashi Shekhar Prasad, enclosing therewith Memo No. 11, dated 02.01.2010, from the Superintendent of Special Central Jail, Bhagalpur, informing him that the solitary appellant died on 01.01.2010 at about 11.15 p.m. during the course of treatment and that his dead body should be received else the same shall be cremated.

Considering the affidavit and the statement, made therein as well as above noted memo of the Superintendent of Special Central Jail, Bhagalpur, indicating that the appellant is now dead, this appeal stands abated as regards the substantive sentence of imprisonment.

(Dharnidhar Jha, J)

(Gopal Prasad, J)

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