

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.857 of 2017

Arising Out of PS.Case No. -441 Year- 2009 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Bachhan Singh, son of Late Muni Singh, resident of Village- Damodarpur
P.S.- Bhabhua, District- Kaimur.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar Sinha

For the Respondent/s : Mr. Abhimanyu Sharma

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL**

and

HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL)

5 30-11-2017

Heard Mr. Rakesh Kumar Sinha, counsel for the
appellant and Mr. Abhimanyu Sharma, A.P.P. for the State.

Mr. Rakesh Kumar Sinha, counsel for the appellant has
drawn attention of the Court towards the order dated 03.10.2017
and the Appendix marked as Annexure-1 of the I.A. No.1573 of
2017 filed in Criminal Appeal (D.B.) No.879 of 2017 (DB). The
cousin father-in-law of the appellant has affirmed the affidavit
stating that the sole appellant, during the pendency of the appeal,
died on 21.7.2017 at Patna Medical College and Hospital while he
was lodged in the Central Jail, Buxar. Annexure-1 is the
communication issued by the Superintendent of the Central Jail,



Buxar stating that the appellant while in custody was admitted to the Patna Medical College and Hospital for treatment where he died in course of treatment on 21.7.2017. The postmortem was also thereafter performed at P.M.C.H., Patna.

Mr. Sharma, A.P.P., on going through the statements made in the Interlocutory Application has not disputed the aforesaid contention.

Consequently the appeal on behalf of the sole appellant stands abated.

The file is consigned.

(Kishore Kumar Mandal, J)

(Vinod Kumar Sinha, J)

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