

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.544 of 2015

Arising Out of PS.Case No. -29 Year- 2007 Thana -HATHAURI District- MUZAFFARPUR

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1. Rajendra Sahni, son of late Dilchand Sahni
2. Ram Pari Devi, wife of Rajendra Sahni.
Both resident of Village- Dakrama P.S.- Hathauri District-Muzaffarpur.

.... Appellants

Versus

The State of Bihar

.... Respondents

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Appearance :

For the Appellant/s : Mr. Ranjan, Advocate
For the Respondent/s : Mr. Sujeet Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-09-2018

Perused the office notes.

2. This appeal has been filed by the appellants against the judgment of conviction dated 22.05.2015 and the order of sentence dated 26.05.2015 whereby the learned 9th Additional Sessions Judge, Muzaffarpur in Sessions Trial No.665 of 2007 which was heard analogous with Sessions Trial No.216 of 2008 arising out of Hathauri P.S. Case No.29 of 2007.

3. By the aforesaid judgment, the appellants were convicted under Sections 304-B read with 34 and 201 read with 34 of the Indian Penal Code and were sentenced to undergo rigorous imprisonment for seven years each for the offence under Section 304-B read with 34 of the Indian Penal Code and rigorous imprisonment for two years each for the offence under Section 201



read with 34 of the Indian Penal Code and to pay a fine Rs.2,000/- each and in default in payment of fine to undergo simple imprisonment for six months each. The sentences passed by the trial court were ordered to run concurrently.

4. It is submitted by the learned counsel for the appellants that during pendency of the appeal, both the appellants have died.

5. On such submission of the learned counsel for the appellants, a report was called for from the Senior Superintendent of Police, Muzaffarpur, which was sent to this Court vide letter No.115 dated 14.05.2018. The Senior Superintendent of Police, Muzaffarpur has stated in his report that both the appellants have died long back.

6. Since the appellants were awarded sentence of imprisonment as well as fine and there is also a default clause, the appeal has finally abated on the death of the appellants.

7. Accordingly, the appeal is disposed of.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
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