

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4130 of 2015

Arising out of Complaint Case No.-1691 Year-2006 GAYA COMPLAINT CASE District-
Gaya

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Abhay Kumar Singh @ Abhay Kumar Son of Late Banshilal Yadav Resident
of Mohalla - Serulahpur Nandgaon, P.S. -Shastrinagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mathura Paswan, Son of Late Boudh Godaet, Resident of Village - Kandi,
P.S. - Chandauti, District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
Mr. Mrigank Mauli, Advocate

For the Opposite Party/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL JUDGMENT

Date : 22-03-2018

Seeking quashment of Complaint Case No. 1691 of
2006 filed by Respondent No. 2 Mathura Paswsan, this
application has been filed.

On notice being issued, report has been received
from the process server Sri Ajay Kumar on 06.09.2016 which
goes to show that Respondent No. 2 Mathura Paswan has died.

In view of the above, as the complainant himself
has died, this application is rendered infructuous. However, in
case the complaint is revived by the legal heirs of the
complainant, liberty shall be available to the applicant to
challenge the initiation of proceedings afresh in accordance with



law and disposal of the matter shall not come in their way in doing so.

For the present, in view of the death of Respondent No. 2, this application stands disposed of.

(Rajendra Menon, CJ)

P.K.P./-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	24.03.2018
Transmission Date	24.03.2018

