

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (DB) No.196 of 1995

1. Sarada Yadav, son of Jadu Yadav,
2. Dayalu Ahir alias Dayalu Yadav, son of Chandramani Yadav,
3. Dasarath Ahir alias Dasarath Yadav, son of Ram Dhari Yadav,
4. Hari Singh alias Hari Yadav, son of Sheo Dhari Yadav,
5. Lallan Yadav, son of Ram Ayodhaya Singh,
6. Lallan Singh alias Lalan Yadav, son of Ghuwa Yadav,
7. Ram Lal Kumbhar, son of Hiranman Kumar,
8. Ram Naresh Ram, son of Doman Ram,
All are resident of village – Gorapa, P.S. Sahar (Chauri), District-Bhojpur,
Arrah.

... .. Appellants

Versus

STATE OF BIHAR

... .. Respondent

with

Criminal Appeal (DB) No. 239 of 1995

Kalaktar Singh, son of Late Rupchand Yadav, resident of village-Dellia, P.S. Sahar, District-Bhojpur.

... .. Appellant

Versus

STATE OF BIHAR

... .. Respondent

with

Criminal Appeal (DB) No. 217 of 1995

1. Ram Dhari Yadav alias Ram Dhari Ahir, son of Nishan Ahir,
2. Ram Awadhesh Yadav alias Awadhesh Yadav, son of Deo Nandan Yadav,
3. Janeshawar Yadav alias Janeshwar Yadav, son of Hari Singh,
4. Ramayan Yadav alias Ramayan Ahir, son of Bachha Ahir,
5. Ram Kubel Ydav alias Kumber Ahir, son of Janardan Yadav,
6. Bhadaï Yadav alias Bhadaï Ahir, son of Janardan Yadav,
7. Chandra Deo Ram, son of Jai Ram,
8. Radha Mohan Ahir @ Radha Mohan Yadav @ Mohan Yadav, son of Bhadaï Yadav,
9. Ram Dayal, Son of Ram Naresh Ram,
All are resident of village-Garpa, P.S. Sahar, District-Bhojpur (Arrah).

... .. Appellants

Versus

STATE OF BIHAR

... .. Respondent

with

Criminal Appeal (DB) No. 238 of 1995



1. Kapil Deo Yadav, son of Ram Dhari Yadav,
 2. Ram Sahay Yadav, son of Late Durga Yadav,
 3. Gabudan Yadav, son of Late Bachha Yadav,
 4. Kailash Ram, son Late Doman Ram,
- All are resident of village- Garapa, P.S. Sahar Now Ghauri, District-
Bhojpur, Arrah.

... .. Appellants

Versus

STATE OF BIHAR

... .. Respondent

Appearance :

(In Criminal Appeal (DB) No. 196 of 1995)

For the Appellant/s : Mr. Akhileshwar Prasad Singh, Sr. Advocate
Mr. Bimal Kumar No.2, Advocate
Mr. Surendra Prasad Singh, Advocate
Mr. Ram Bachan Singh, Advocate

For the Respondent/s : Mr. Pp

(In Criminal Appeal (DB) No. 239 of 1995)

For the Appellant/s : Mr. N.P. Singh

For the Respondent/s : Mr. Pp

(In Criminal Appeal (DB) No. 217 of 1995)

For the Appellant/s : Mr. Ram Bachan Singh

For the Respondent/s : Mr. Pp

(In Criminal Appeal (DB) No. 238 of 1995)

For the Appellant/s : Mr. Ram Bachan Singh

For the Respondent/s : Mr. Pp

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA)**

12 28-01-2019 No one appears on behalf of appellants. Learned
Additional Public Prosecutor for the State and learned counsel
of the informant are present.

The Superintendent of Police, Bhojpur, Ara vide letter
No. 795, dated 10.09.2018, has reported that Sarda Yadav, Hari
Singh and Ram Naresh Ram appellants in Criminal Appeal
(DB) No. 196 of 1995 and Ramdhari Yadav @ Ramdhari Ahir



appellant No.1 in Criminal Appeal (DB) No. 217 of 1995, Kapildeo Yadav, Ramsahay Yadav and Gabudhan Yadav appellants in Criminal Appeal (DB) No. 238 of 1995 and Kalaktar Singh in Criminal Appeal (DB) No. 239 of 1995 are no more. The Superintendent of Police, Bhojpur, Ara, further, reported that appellants Janeshwar Yadav alias Janeshwar Yadav and Ram Awadhesh Yadav @ Awadhesh in Criminal Appeal (DB) No. 217 of 1995 are alive.

In view of the aforesaid report, the Criminal Appeal (DB) No. 239 of 1995 stood abated due to death of sole appellant, namely, Kalaktar Singh and so far as the Criminal Appeal (DB) No. 196 of 1995 is concerned, the same stood abated in respect of appellants Sarada Yadav, Hari Singh alias Hari Yadav and Ram Naresh Ram due to their death during the pendency of the aforesaid appeal. Similarly, so far Criminal Appeal (DB) No. 217 of 1995 is concerned, the same stood abated in respect of appellant Ram Dhari Yadav alias Ram Dhari Ahir due to his death and, similarly, so far Criminal Appeal (DB) No. 238 of 1995 is concerned, the same stood abated in respect of appellants Kapil Deo Yadav, Ram Sahay Yadav and Gabudan Yadav due to their death during the pendency of this appeal. However, Criminal Appeal (DB) No. 196 of 1995,



Criminal Appeal (DB) No. 217 of 1995 and Criminal Appeal (DB) No. 238 of 1995 shall proceed in respect of the remaining appellants.

Accordingly, list Criminal Appeal (DB) No. 196 of 1995, Criminal Appeal (DB) No. 217 of 1995 and Criminal Appeal (DB) No. 238 of 1995 after one week under the same heading.

(Hemant Kumar Srivastava, J)

(Rajendra Kumar Mishra, J)

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