

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 17917 of 2021**

Arising Out of PS. Case No.-19 Year-2017 Thana- SIRDALA District- Nawada

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Kamta Prasad, Male, aged about 67 years, Son of Late Ram Barat Prasad,  
Resident of J.K.S./G-28, Behind Flat of Ramlakhan Mahto, Old Jakkanpur,  
PS- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food and Civil Supplies Corporation Limited through the District Manager, Nawada, District- Nawada.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr. Arun Kumar, Advocate             |
| For the State        | : | Mr. Parmeshwar Mehta, APP            |
| For the BSFC         | : | Mr. Shailendra Kumar Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL JUDGMENT**

**Date : 11-08-2021**

The matter has been heard *via* video conferencing.

2. Heard Mr. Arun Kumar, learned counsel for the petitioner; Mr. Parmeshwar Mehta, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State and Mr. Shailendra Kumar Singh, learned counsel for the Bihar State Food and Civil Supplies Corporation Limited.

3. The petitioner had filed the present petition seeking bail in connection with Sirdala PS Case No. 19 of 2017 dated 01.02.2017, instituted under Sections 409, 420, 467 and 468 of the Indian Penal Code.

4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by judgment and order dated 29.06.2020 passed in Cr. Misc. No. 71928 of 2019.



5. At the outset, learned counsel for the petitioner submitted that during the pendency of the present application, the petitioner has died in the jail. It was submitted that no information was given to the relatives of the petitioner with regard to any ailment of the petitioner and even upon death, only after postmortem, the body was made available to them. It was further submitted that even the postmortem report has not been given to them despite death having occurred more than a month back.

6. Having regard to the aforesaid, the Court would only observe that for such grievance, the aggrieved person has to move before the appropriate forum, in accordance with law.

7. However, as far as the present petition is concerned, the Court finds that nothing further remains and it has become infructuous.

8. Accordingly, the petition stands disposed of as infructuous.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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