

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.350 of 1995

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1. Md. Nizam @ Nizam Mian.
2. Md. Mustaque @ Mustaque Mian.
Both are sons of Md. Rahup, resident of village-Lawapur, Police Station
-Bidupur, District-Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellants : M/S. Manoj Kumar Ambastha and Sunil Kumar
Mandal, Advocates.
For the Respondent : Km. Shashi Bala Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
and
HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

6 22-06-2022 Heard learned counsel for the appellants and learned
A.P.P. for the State.

The present criminal appeal has been filed on behalf of the appellants against the order and judgment dated 06.09.1995, passed by the learned Ist Additional Sessions Judge, Vaishali at Hajipur, in Sessions Trial No. 88 of 1994, arising out of Mahnar P.S. Case No. 06 of 1992 by which both the appellants have been convicted under Sections 302/34 of the I.P.C. and sentenced to undergo imprisonment for life.

In the present appeal, after cancelling the bail bonds of the appellants, non-bailable warrant of arrest was issued



against them by order dated 22.11.2021, passed by a Co-ordinate Bench of this Court as the learned counsel for the appellants could not appear.

A report has been submitted on behalf of the Superintendent of Police, Vaishali at Hajipur, stating that the appellant no. 2 Md. Mustaque @ Mustaque Mian has died 20 years back and the appellant no. 1 Md. Nizam @ Nizam Mian has died 15 years back.

Considering the report submitted by the Superintendent of Police, Vaishali at Hajipur, the present appeal stands abated.

Non-bailable warrant of arrest issued against the appellants vide order dated 22.11.2021 passed by a Co-ordinate Bench of this Court, stands withdrawn.

The present appeal is consigned to the record.

(Sudhir Singh, J)

(Chandra Prakash Singh, J)

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