

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.335 of 1995

1. Harendra Rai, S/o Sri Jamindar Rai
2. Abhay Shankar Nirala, S/o Shri Shiv Chandra Rai,
3. Jagarnath Rai, S/o Shri Birchandra Rai &
4. Kishun Rai, S/o Shri Trilok Rai @ Pancho Rai
All residents of village-Lalpokhar Dighi (Jagdishpur), P.S. Sadar, Hajipur,
District-Vaishali.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

with
CRIMINAL APPEAL (DB) No. 344 of 1995

Uday Shankar Nirala, S/o Shri Shiv Chandra Rai, r/o village-Lalpokhar Dighi
(Jagdishpur), P.S. Hajipur Sadar, Distt. Vaishali

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

(In CRIMINAL APPEAL (DB) No. 335 of 1995)

For the Appellant/s : Mr.Abhay Prakash Sahay
Mr. Aditya Prakash Sahay
Mr. Harshit Guyaghey, Advocates

For the Respondent/s : Mr.Dilip Kumar Sinha

(In CRIMINAL APPEAL (DB) No. 344 of 1995)

For the Appellant/s : Mr.Abhay Prakash Sahay

For the Respondent/s : Mr. Shyam S. Singh Satyam
Mr. Satya Narayan Prasad, Advocates

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

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SUDHIR SINGH)

4 20-06-2022 In pursuance of the order dated 25-02-2022 passed

by a coordinate bench of this court, a report has been submitted

by the Superintendent of Police, Vaishali at Hajipur which is at



Flag 'X' to the present Memo of Appeal.

Re: **Cr. Appeal No. 335 of 1995**

Out of four appellants, the appellant No. 4 Kishun Rai is said to be dead. Hence the appeal with regard to appellant No. 4 (Cr. Appeal No. 335 of 1995) stands abated.

So far as the rest three appellants namely, Harendra Rai, Abhay Shankar Nirala and Jagannath Rai are concerned, one week's time is allowed to the counsel for the appellants to file interlocutory application for recalling the order dated 25-02-2022 by which, non-bailable warrant of arrest has been issued against the above-said three appellants on account of non-appearance of the counsel for the appellants.

List Cr. Appeal (DB) No. 335 of 1995 on 04-07-2022 under appropriate heading.

Re: **Cr. Appeal (DB) No. 344 of 1995**

It has been reported that the sole appellant of Cr. Appeal (DB)) No. 344 of 1995, namely, Uday Shankar Nirala, has died.

Considering the aforesaid fact that the sole appellant namely, Uday Shankar Nirala, S/o Shri Shiv Chandra Rai, r/o village-Lalpokhar Dighi (Jagdishpur), P.S. Hajipur Sadar, Distt. Vaishali of Cr. Appeal (DB) No. 344 of 1995 is dead, the present



appeal stands abated.

The appeal is consigned to records.

(Sudhir Singh, J)

(Chandra Prakash Singh, J)

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