

10.05.2022

Sl. No. 11

Srimanta

Ct.No. 42

CRA/529/2017

In Re : An application under Section **374(2)** of the Code of Criminal Procedure, 1973.

In the matter of : **Bidyut Kumar Maity**

...appellant.

Mr. Aritra Bhattacharya, Adv.

...for the appellant.

Mr. Phiroze Edulji, Adv.,

Mr. Samrat Goswami, Adv.

...for the C.B.I.

On 16th March, 2022 Mr. Bhattacharya, Learned Advocate for the appellant submits that appellant has expired on 22nd October, 2017. The said matter was directed to be enquired into by the CBI and CBI was also directed to file a report. Today, a report has been filed on behalf of the CBI affirming the death of the sole appellant on 22nd October, 2017. The death certificate was issued on 4th December, 2017. Therefore, the instant appeal abates on the death of the appellant.

The report submitted by the CBI be kept with the record.

(Bibek Chaudhuri, J.)