

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2111 of 2019

Arising Out of PS. Case No.-109 Year-2017 Thana- MANJHAGARH District- Gopalganj

Rahul Kumar Singh Son of Paras Singh Resident of Village- Bhojpurwa, P.S.-
Manjhagarh, District- Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 2437 of 2019

Arising Out of PS. Case No.-109 Year-2017 Thana- MANJHAGARH District- Gopalganj

Golu Mishra Son of Late Harender Mishra Resident of Village - Bhaluhi, P.S.-
Muffasil Siwan, Dist.- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 2111 of 2019)

For the Appellant/s : Mr.Lokesh Kumar Singh, Advocate

For the Respondent/s : Mr.Binod Bihari Singh, APP

(In CRIMINAL APPEAL (SJ) No. 2437 of 2019)

For the Appellant/s : Mr.Mohammad Sufyan, Advocate

For the Respondent/s : Mr.Syed Ashfaque Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

9 09-12-2024

Re.: Cr. App (S.J.) No. 2111 of 2019

Heard the parties.

2. List this case on 12.12.2024.

Re.: Cr. APP (SJ) No. 2437 of 2019

Heard the parties.

3. It had earlier been submitted by Mr. Mohammad Sufyan, learned counsel for the appellant that the appellant has died and therefore, this Court vide order dated 11.11.2024 has



called for a report from the Superintendent of Police, Gopalganj. This Court had also directed learned counsel for the appellant to file an affidavit in this regard.

4. Learned counsel for the appellant has shown his helplessness saying that despite his repeated attempts, he has not been able to contact the family members of the appellant and therefore, no affidavit could be filed by him. He further submits that he wants to withdrawn this appeal.

5. In these circumstances, as prayed for by learned counsel for the appellant, this appeal is dismissed as withdrawn.

6. It is directed that the trial Court will call for a report from the Superintendent of Police, Gopalganj with regard to the fact that whether the appellant is alive or not. If it is reported that the appellant is alive then he will have to serve the sentence.

(Sandeep Kumar, J)

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