

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.167 of 1999

RANVIR DAS @ RANBIR DAS and ORS

... .. Appellant/s

Versus

STATE OF BIHAR

... .. Respondent/s

with
CRIMINAL APPEAL (DB) No. 204 of 1999

CHANDRIKA DAS @ CHANARIK DAS

... .. Appellant/s

Versus

STATE OF BIHAR

... .. Respondent/s

with
CRIMINAL APPEAL (DB) No. 216 of 1999

DASARATH DAS and ANR

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (DB) No. 167 of 1999)
For the Appellant/s : None
For the Respondent/s : Mr.Satya Narayan Prasad
(In CRIMINAL APPEAL (DB) No. 204 of 1999)
For the Appellant/s : None
For the Respondent/s : None
(In CRIMINAL APPEAL (DB) No. 216 of 1999)
For the Appellant/s : None
For the Respondent/s : Mr.Dilip Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
and
HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SANJAY KUMAR SINGH)



Instant Criminal Appeal, arising out of judgment and order dated 21.04.1999 passed by learned 4th Additional Sessions Judge, Nalanda in Sessions Trial No. 438 of 1994/20 of 1998 (Harnaut PS case no. 53 of 1994) is listed for hearing.

2. Despite repeated calls, none appears on behalf of the appellants, whereas Mr. Satya Narayan Prasad, learned Additional Public Prosecutor for the State is present.

3. Perusal of record shows that vide letter dated 23.07.2025 of Assistant Registrar, Cr. Appeal Section of this Court, a living status report of accused appellants was called for. In response thereto, the Sub-Inspector of Police, Harnaut Police Station, Nalanda submitted a report dated 07.08.2025 based on the information furnished by the Ward Councillor, Ward No. 1, Nagar Panchayat, Harnaut, Nalanda apprising this Court that appellant No. 2 (Nand Kishwar Das) and appellant No. 3 (Sakaldeo Das) have died eight years and five years ago respectively during pendency of this Cr. Appeal. The Certificate issued by Ward Councillor, Ward No. 1, Nagar Panchayat, Harnauth, Nalanda is also enclosed along with the said report.

4. In view of the above, the Criminal Appeal *qua* appellant No. 2 (Nand Kishwar Das) and appellant No. 3 (Sakaldeo Das) stands **abated**.



5. So far as appellant No. 1 namely, Ranvir Das is concerned, it is mentioned in the aforesaid report that he is alive.

6. Since no one is appearing on behalf of appellant No. 1 therefore, for speedy disposal of this Cr. Appeal, this Court propose to appoint *amicus curiae* but feels that before appointing any *amicus curiae* on behalf of appellant No. 1, one opportunity/ information about listing of instant Cr. Appeal should be given to the appellant No. 1.

7. Let a notice be issued to appellant No.1, namely, Ranvir Das for his appearance either personally or through his counsel on the next date, failing which this Court would have no option except to appoint *amicus curiae* for hearing of this Cr. Appeal.

8. List this case on 16.02.2026 along with service report.

Re. CRIMINAL APPEAL (DB) No. 204 of 1999

Instant Criminal Appeal, arising out of judgment and order dated 21.04.1999 passed by learned 4th Additional Sessions Judge, Nalanda in Sessions Trial No. 438 of 1994/20 of 1998 (Harnaut PS case no. 53 of 1994) is listed for hearing.

2. Despite repeated calls, none appears on behalf of the appellant as well as for the State.



3. Perusal of record shows that vide letter dated 23.07.2025 of Assistant Registrar, Criminal Appeal Section of this Court, a living status report of accused appellant was called for. In response thereto, the Sub-Inspector of Police, Harnaut Police Station, Nalanda submitted a report dated 07.08.2025 apprising this Court that the sole appellant namely, Chandrika Das @ Chanarik Das (Chandrika Mochi) has died on 15.03.2022 during pendency of this Criminal Appeal. The Death Certificate dated 11.04.2022 issued by Department of Planning and Development, Nagar Panchayat Harnaut, is also enclosed along with the said report.

4. In view of the above, the instant Criminal Appeal filed by appellant, namely-Chandrika Das @ Chanarik Das (Chandrika Mochi) stands **abated**.

5. Consigned to record.

Criminal Appeal (DB) No. 216 of 1999

Instant Criminal Appeal, arising out of judgment and order dated 21.04.1999 passed by learned 4th Additional Sessions Judge, Nalanda in Sessions Trial No. 438 of 1994/20 of 1998 (Harnaut PS case no. 53 of 1994) is listed for hearing.

2. Despite repeated calls, none appears on behalf of the appellants, whereas Mr. Dilip Kumar Sinha, learned, Additional Public Prosecutor for the State is present.



3. Perusal of record shows that appellants were granted bail by the order dated 22.06.1999 passed by this Court.

4. Vide letter dated 23.07.2025 of Assistant Registrar, Cr. Appeal Section of this Court, a living status report of accused-appellants was called for. In response, thereto the Sub-Inspector of Police, Harnaut Police Station, Nalanda submitted a report dated 08.08.2025 mentioning that appellant no. 1 is alive whereas whereabouts of appellant no. 2, namely, Harihar Das is not known, as he is not residing at the given address.

5. In view of the above, the Superintendent of Police, Nalanda is directed to trace the present address of the appellant no. 2 (Harihar Das) and submit clear report as to whether he is alive or not by the next date.

6. Let this Criminal Appeal be listed on 16.02.2026.

(Nani Tagia, J)

(Sanjay Kumar Singh , J)

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