

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.523 of 2004

1. Sunil Tiwary, Son of Late Dharmraj Tiwary
2. Sardanand Tiwary, Son of Late Brij Kishore Tiwary
Both resident of Village- Suara, P.S.- Nokha (Baghila), Dist.- Rohtas

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shailendra Kr. Singh, Adv.
For the Respondent/s : Mr. S N Prasad, APP

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 11-05-2026 Perused the Letter No. 435 dated 23.02.2026 of the Superintendent of Police, Rohtas along with the Report dated 22.02.2026 of the Sub-Inspector of Police, Baghila Police Station as well as the Certificate of Death dated 21.02.2026 of the Sarpanch of Gram Kachhari Rotwa, Block- Rajpur, Rohtas; wherein it is indicated that both the appellants, namely, Sunil Tiwary and Sardanand Tiwary, is dead.

2. In view of the said letter as also Section 394 of the Code of Criminal Procedure, 1973, which corresponds to Section 435 of the Bharatiya Nagarik Suraksha Sanhita, 2023, since no near relative has filed any application for leave to continue the appeal, the Criminal Appeal stands abated and



disposed of.

3. Let the trial court record be sent back to the concerned court immediately, if not required in any other cases.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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