

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.1116 of 2011**

Arising Out of PS. Case No.-206 Year-2003 Thana- DEEPNAGAR District- Nalanda

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Basant Chaudhary S/O Late Matlu Chaudhary Resident Of Village
Jamalichak, P.S. Deep Nagar, District Nalanda At Biharsarif.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Upadhyay, Advocate

For the Respondent/s : Mr. Ajay Mishra, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 26-05-2026 Perused the Letter No. 330 dated 11.02.2026 of the

Superintendent of Police, Nalanda along with the Report dated
08.02.2026 of the S.H.O, Deep Nagar Police Station, Nalanda,
wherein it is indicated that during enquiry it came to light that
the sole appellant, namely, Basant Chaudhary, 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 records 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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