

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (DB) No.1247 of 2011**

Arising Out of PS. Case No.-21 Year-2009 Thana- NOORSARAI District- Nalanda

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RAM AWATAR MAHTO S/O Late Sri Mahto Resident Of Village- Barbigha,  
Post Office- Bada Khurd, Police Station- Noorsarai, District- Nalanda.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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**Appearance :**  
For the Appellant/s : Mr. Arshad Jameel Hashmi, Advocate  
For the Respondent/s : Mr. S.N. Pd. A.P.P.

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

**(Per: HONOURABLE THE CHIEF JUSTICE)**

3      01-05-2026                      Perused the Letter No. 384 dated 12.02.2026 of the Superintendent of Police, Nalanda along with the Report dated 09.02.2026 of the S.H.O, Noorsarai Police Station, Nalanda, wherein it is indicated that during enquiry it came to light that the sole appellant, namely, Ram Awatar Mahto, 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)**

Neha/-

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