

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.562 of 1998**

1) Nado Mahton son of Ram Bilash Mahton.

2) Rajesh Kumar @ Rajesh Mahton, Son of Nado Mahton.

Both resident of Mokbira Chair Tola, Police Station-Kasim Bazar, (Kotwali),
District-Munger.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sujeet Kumar Sinha, Advocate

For the Respondent/s : Mr. Arun, A.P.P.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 20-02-2026 Perused the Letter No. 27 dated 09.01.2026 issued

by the Superintendent of Police, Munger, along with the report
furnished by the S.H.O., Kasim Bazar Police Station, Munger
annexed thereto, wherein it has been indicated that both the
appellants, namely, Nado Mahton and Rajesh Kumar @ Rajesh
Mahton, have died.

2. In view of the said letter and having regard to
Section 394 of the Code of Criminal Procedure, 1973, which
corresponds to Section 435 of the Bharatiya Nagarik Suraksha
Sanhita, 2023, and inasmuch as no near relative has filed any



application seeking leave to continue the appeal, the present Criminal Appeal stands abated and is accordingly disposed of.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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