

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.447 of 2012

Arising Out of PS. Case No.-15 Year-2009 Thana- BIBHUTIPUR District- Samastipur

Santosh Mahto, S/O Raju Mahto @ Ram Udgar Mahto, R/O Village - Boriya,
P.S. Bibhutipur, District - Samastipur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bijay Bhushan Prasad, Adv.
For the Respondent/s : Mr. S.B.Verma, APP

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

(Per: HONOURABLE THE CHIEF JUSTICE)

4 08-05-2026 Perused the Letter No. 618 dated 04.05.2026 of the Superintendent of Police, Samastipur along with the Report dated 02.05.2026 of Inspector of Police-cum-S.H.O, Bibhutipur Police Station, Samastipur as well as the Death Certificate dated 15.07.2012 issued by Department of Planning and Development, Government of Bihar; wherein it is indicated that during enquiry it came to light that the sole appellant, namely, Santosh Mahto, is dead.

2. In view of the said letters 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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