

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.61 of 2004

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Muslim Sain @ Muslim Sah, Son of Late Mubarak Sain, Resident of Village-
Bilardhe, P.S.- Bairgania, Dist.- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Prasoon Sinha, Sr. Adv.
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)

8 11-05-2026 Perused the Letter No. 314 dated 04.05.2026 of the Superintendent of Police, Sitamarhi along with the Report dated 30.04.2026 of the S.H.O., Bairgania Police Station as well as the Certificate of Death dated 02.05.2026 of the Sarpanch of Gram Kachhari, Jamua, Block- Bairgania, Sitamarhi; wherein it is indicated that the sole appellant, namely, Muslim Sain @ Muslim Sah, 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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