

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.817 of 2004

1. Shanti Devi W/o Shri Chandra Shekhar Prasad Gupta
2. Chandra Shekhar Pd. Gupta S/o late K.L. Sah
Both resident of mohalla-Hatia Gachhi, P.S. and Distt. Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Mishra, Adv.
For the Respondent/s : Mr. APP

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

(Per: HONOURABLE THE CHIEF JUSTICE)

5 03-04-2026 Perused the Letter No. 124 dated 08.02.2026 of the Superintendent of Police, Saharsa along with the Report dated 07.02.2026 of Inspector of Police-cum-S.H.O, Sadar Police Station, Saharsa as well as the Report dated 06.02.2026 of the Ward Councilor of Ward No. 20 of Municipal Corporation, Saharsa; wherein it is indicated that during enquiry it came to light that both the appellants, namely, Shanti Devi and Chandra Shekhar Pd. Gupta, are 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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