

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (DB) No.423 of 2005**

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1. China Mukhia, Son of Shri Baua Mukhia.  
2. Buchkun Mukhia @ Bichkun Mukhia, Son of Shri Shital Mukhia.  
Both residents of Village-Parri, P.S.-Bangaon, District-Saharsha.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Diwakar Prasad Singh, Adv.  
For the Respondent/s : Mr. APP

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

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

4      17-04-2026                      Perused the Letter No. 188 dated 16.03.2026 of the Superintendent of Police, Saharsha along with the Report dated 11.03.2026 of S.H.O, Bangaon Police Station, Saharsa and the Report dated 11.03.2026 of the Mukhiya of Gram Panchayat-Parari, Block-Kahra, Saharsha; wherein it is indicated that during enquiry it came to light that the appellants, namely, China Mukhia and Buchkun Mukhia @ Bichkun Mukhia, 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)**

supratim/-

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