

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.991 of 2006

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Surendra Prasad Upadhayay @ Surendar Upadhayay, Son of Late Ramraj Upadhayay, Resident of Village-Mangraon, Police Station-Kachhawan (Nasariganj), District-Rohtas.

... .. Appellant/s

Versus

State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dilip Kumar 1, Advocate
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)

6 08-05-2026 Perused the Letter No. 816 dated 03.05.2026 of the Superintendent of Police, Rohtas along with the report of Police S.H.O., Kacchwa Police Station dated 01.05.2026, wherein it is indicated that during enquiry it came to light that the sole appellant Surendra Prasad Upadhayay @ Surendar Upadhayay has died.

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 records be sent back to the concerned court immediately, if not required in any other case.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

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