

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.722 of 2010

1. Nakul Mahto son of Mala Mahto.
2. Rajan Mahto @ Razia Mahto @ Rajan @ Raja Mahto son of Sahdeo Mahto
3. Borhan Mahto son of Late Kartik Mahto.
All residents of village- Gobrahi Diayara, Police Station- Kursela, District- Katihar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajendra Prasad Sah, Advocate
For the Respondent/s : Mr. D.Kr.Sinha, A.P.P.

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

(Per: HONOURABLE THE CHIEF JUSTICE)

4 11-05-2026 Perused the Letter No. 330, dated 03.05.2026 of the Superintendent of Police, Katihar along with the report dated 01.05.2026 of the Sub-Inspector-cum-A.S.H.O., Kursela P.S., wherein it is indicated that during enquiry, it came to light that the above-named appellants are dead and the death certificates of the appellants are annexed with the said report.

2. In view of the said reports as also section 394 of the Code of Criminal Procedure, 1973, which corresponds to section 435 of the Bhartiya 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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