

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (DB) No.607 of 2010**

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Birendra Pandey @ Birendra Prasad Pandey, Son of Late Devi Prasad Pandey,  
Resident of Village- Gabbey, P.S.- and Dist.- Sheikhpura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Dhananjaya Nath Tiwari, Adv.  
For the Respondent/s : Mr. A. K. Sinha, APP

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

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

4      13-05-2026                      Perused the Report No. 381 dated 05.05.2025 of the Superintendent of Police, Sheikhpura along with the Report dated 02.05.2026 of the Inspector of Police-cum-S.H.O., Hathiyava Police Station, Sheikhpura as well as the Certificate of Death dated 02.05.2026 of the Sarpanch-cum-Block President of Gram Kachhari- Gabbey, Block- Sheikhpura, Dist.- Sheikhpura; wherein it is indicated that the sole appellant, namely, Birendra Pandey @ Birendra Prasad Pandey, 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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