

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.959 of 2015

Arising Out of PS. Case No.-154 Year-2008 Thana- SAHEBGANJ District- Muzaffarpur

Md. Tabarak @ Md. Tabarak Miyan, Son of Late Jitu Miyan, Resident of
Village- Taranwa, Police Station- Saheb Ganj, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Birendra Kumar Singh, Adv.

For the Respondent/s : Mr. G. P. Jaiswal, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 14-05-2026 Perused the Letter No. 98 dated 02.02.2026 of the Senior Superintendent of Police, Muzaffarpur, along with the report dated 31.01.2026 of S.H.O., Rajepur O.P., Sahebganj P.S., Muzaffarpur, as well as the Death Certificate issued on 07.02.2025, issued by Department of Planning and Development, Government of Bihar, wherein it is indicated that during enquiry it came to light that the sole appellant, namely, Md. Tabarak @ Md. Tabarak Miyan, is dead.

2. In view of the said letters 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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