**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**Cr. Appeal (S.J.) No. 645 of 2004**
**With**
**Cr. Appeal (S.J.) No. 694 of 2023**
**With**
**Cr. Appeal (S.J.) No. 906 of 2006**
**With**
**Cr. Appeal (S.J.) No. 127 of 2007**
**With**
**Cr. Appeal (S.J.) No. 999 of 2007**
**With**
**Cr. Appeal (S.J.) No. 1227 of 2007**
**With**
**Cr. Appeal (S.J.) No. 1534 of 2007**
**With**
**Cr. Appeal (S.J.) No. 549 of 2008**
**With**
**Cr. Appeal (S.J.) No. 564 of 2008**
**With**
**Cr. Appeal (S.J.) No. 121 of 2009**
**With**
**Cr. Appeal (S.J.) No. 455 of 2009**
**With**
**Cr. Appeal (S.J.) No. 607 of 2009**
**With**
**Cr. Appeal (S.J.) No. 841 of 2009**
**With**
**Cr. Appeal (S.J.) No. 97 of 2010**
**With**
**Cr. Appeal (S.J.) No. 48 of 2011**
**With**
**Cr. Appeal (S.J.) No. 102 of 2012**
**With**
**Cr. Appeal (S.J.) No. 505 of 2012**
**With**

Mahendra Prasad … … **Appellant**

Versus

The State of Jharkhand through C.B.I. … … **Opp. Party**

**With**
**Cr. Appeal (S.J.) No. 807 of 2013**

Mahender Prasad @ Mahendra Prasad … … **Appellant**

Versus

The State of Jharkhand through C.B.I. … **Opp. Party**

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**CORAM: HON'BLE MRS. JUSTICE ANUBHA RAWAT CHOUDHARY**

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**17/27.10.2026** Learned counsel for the appellant Mr. Naresh Narayan Tiwary and Mr. Amit Kumar Tiwary are present.

**2.** Mr. Deepak Kumar Bharati, Advocate is appearing on behalf of the C.B.I.

**3.** Learned counsel for the parties jointly submitted that the appellant in all these criminal appeals are the same person namely, Mahendra Prasad who has already expired.

**4.** Mr. Naresh Narayan Tiwari, Advocate has filed the Death Certificate of Appellant No.1 Mahendra Prasad issued by Government of Karnataka bearing No.1361603 and date of issue is 07.10.2015 and date of death of Mahendra Prasad is 24.07.2015. He submits that the death certificate has been provided to him by the wife of Mahendra Prasad who is Saraswati Chandra. He further submitted that being the legal representative of Mahendra Prasad, Saraswati Chandra does not want to contest these appeals, irrespective of the fact that fine amounts have been imposed upon Mahendra Prasad in these cases and therefore, all these appeals have abated.

**5.** Learned counsel for the C.B.I. has submitted that although the appellant Mahendra Prasad has expired, the fine amounts as imposed in all these cases are still realizable from his assets whatever may be available and the fine amount if any which has been deposited before the learned Court at the time of grant of bail is also required to be forfeited at the instance of the C.B.I. He submits that if the legal representative of Mahendra Prasad does not want to contest the appeals, the appeals be treated as abated to the aforesaid extent, but the fine amount as imposed against him is still required to be realized. The legal representative does not want to contest the case, so appropriate order be passed accordingly.

**6.** After hearing the learned counsel for the parties and considering the fact that the appellant Mahendra Prasad has expired and his legal representative- wife is not interested in pursuing these criminal appeals in spite of the fact that it has been brought to her notice that fine amounts are also involved in these cases which can be recovered from the assets of the deceased , this Court is of the view

that all these appeals have abated but the fine amount imposed by the impugned judgement is still to be realized in accordance with law.

**7.** Accordingly, the learned Court is directed to take appropriate steps for realisation of the fine amounts awarded against the appellant in each case from the assets of the deceased appellant.

**8.** If any portion of the fine amount has been deposited before the learned Court, as a condition of bail, appropriate steps can be taken by C.B.I. for forfeiting/realizing the same by filing appropriate application before the learned Court.

**9.** Let a copy of this order be communicated to the learned Court through FAX/e-mail.

**(Anubha Rawat Choudhary, J.)**

*Date of Order:27.10.2026*
*Nandini*
*Uploaded on-29.10.2026*