

**Court No. - 52**

**Case :-** CRIMINAL APPEAL No. - 1428 of 1988

**Appellant :-** Sant Saran And Others

**Respondent :-** State of U.P.

**Counsel for Appellant :-** A.K. Rathore, Pankaj Kumar, Rajendra Kumar Mishra, Ram Sheel Sharma

**Counsel for Respondent :-** Dga

**Hon'ble Vivek Kumar Birla, J.**

**Hon'ble Shree Prakash Singh, J.**

Appellant no. 1 Sant Saran was father of all the other appellants, namely Lok Nath, Ved Nath and Deo Nath. He has died long back as per the report of the Chief Judicial Magistrate, Kaushambi.

Learned counsel Sri Ram Sheel Sharma appearing for the appellant no.2 Ved Nath and Sri Rajendra Kumar Mishra appearing for the appellant no.4 Deo Nath also state in categorical terms that Ram Saran has died long back. Along with the report of the Chief Judicial Magistrate, Kaushambi dated 21.3.2018, statements of Lok Nath and Deo Nath have been annexed.

The appeal, accordingly, stands abated in respect of the appellant no.1 Sant Saran.

Sri Rajendra Kumar Mishra, learned counsel states that he has received oral instructions on behalf of the appellant no.3 also. He may file his vakalatnama on his behalf.

List on 6.12.2021.

It is made clear that in case none appears on behalf of the appellant no.3 on the next date, this Court may consider for issuance of non bailable warrant against him.

**Order Date :-** 17.11.2021

Ram Murti