

Court No. - 85

Case :- CRIMINAL APPEAL No. - 768 of 1983

Appellant :- Ram Bharosey And Others

Respondent :- State of U.P.

Counsel for Appellant :- R.S. Yadav

Counsel for Respondent :- Govt. Advocate

Hon'ble Ms. Nand Prabha Shukla,J.

No one has appeared for the appellants. Learned A.G.A. for the State is present.

The present Criminal Appeal u/s 374(2) Cr.P.C. has been filed against the judgment and order dated 31.03.1983 passed by Special Judge/Additional Sessions Judge, Bareilly in S.T. No. 439 of 1981 convicting the appellants under Section 307 read with Section 149 IPC and sentencing them to five years R.I. and applicants Ram Bharose, Raj Kumar Nekse, Ram Autar and Radha Ballabh convicted under Section 148 IPC and two years and applicant Banwari convicting under Section 147 IPC for one year R.I.

The matter pertains to the year 1983.

Today, the present Criminal Appeal is listed under the category of oldest pending cases in this High Court for priority basis.

As per the office report dated 29.07.2025, the appellant No. 2 Raj Kumar, appellant No. 3 Nekse, appellant No. 4 Banwari and appellant No. 6 Radha Ballabh have been reported to be dead.

Accordingly, the appellant Nos. 2, 3, 4 and 6 have died during the pendency of the appeal, therefore, the appeal against the appellant Nos. 2, 3, 4 and 6 stood abated.

Sri Ashutosh Upadhyay, learned counsel has filed his Power on behalf of appellant No. 5 Ram Awatar, but no one has appeared on behalf of appellant No. 1 Ram Bharosey.

Issue notice to the appellant No. 1 Ram Bharosey to engage another counsel.

List this appeal on 22.08.2025.

If no one appears on behalf of the appellant No. 1 Ram Bharosey, the Court may appoint Amicus Curiae to argue this appeal.

Trial Court be summoned, in case, the same has not been received.

Order Date :- 30.7.2025/Shivani