

Court No. - 86

Case :- CRIMINAL APPEAL No. - 783 of 1984

Appellant :- Ram Khilari And Others

Respondent :- State

Counsel for Appellant :- K.M.Misra

Counsel for Respondent :- A.G.A.

Hon'ble Mohd. Aslam,J.

Heard learned counsel for the appellants and learned A.G.A. for the State-respondent.

As per the report of Chief Judicial Magistrate, Mainpuri dated 30.11.2021, notice upon appellant no.1 Ram Khilari has been served personally and appellant no.2 Saktu and appellant no.3 Samalia @ Sambley have died. Learned C.J.M has conducted an enquiry regarding death of appellant nos. 2 & 3 and has recorded the statements of S.I. Jaideep Singh, serving officer, Dinesh and Kehri Singh, sons of appellant Samalia @ Sambley and other witness who have stated that appellant no.3 Samalia @ Sambley has died 15 years ago. In this connection statement of Phool Sahay, nephew (Bhanja) of the appellant Saktu, village Pradhan Rajesh Kumar and other witness who have stated that the appellant no.2 Saktu has died 20 years ago due to illness. In view of above, the appeal in respect of appellant no.2 Saktu and appellant no.3 Samalia @ Sambley is, hereby, abated.

As per the office report, notice has been served upon appellant no.1 Ram Khilari personally.

Learned counsel for the appellant has stated that the appellant Ram Khilari is not in his contact.

Issueailable warrant against the accused-appellant Ram Khilari and show-cause-notice against their sureties to show cause as to why their bail bonds will not be forfeited in favour of the State and the amount of bonds will not be realized from them.

List in the week commencing 07.02.2022.

Order Date :- 2.12.2021

Vikas