

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL MISCELLANEOUS JURISDICTION No.1222 of 2016**

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Md. Akbar

.... Appellant/s

Versus

Sughufta Naz & Ors

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Dubey

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO**

ORAL ORDER

3 13-12-2016 It appears that this civil miscellaneous application has been filed against the order dated 11.08.2016 whereby the application filed under Section 127 Cr.P.C. registered as Miscellaneous Case No.30 of 2013 has been disposed of.

Division Bench of this Court in 2008 (4) P.L.J.R.817 has held that while exercising jurisdiction under the Cr.P.C., the Family Court exercises jurisdiction of the magistrate. Therefore, criminal proceeding is maintainable when the Family Court exercises jurisdiction under the Cr.P.C.

Learned counsel for the petitioner, therefore, seeks permission to convert this civil miscellaneous application to appropriate criminal proceeding within six weeks.

Prayer is allowed.

The petitioner shall convert this civil miscellaneous application to an appropriate criminal proceeding within six weeks



and shall serve a copy of the same to the learned counsel
Ms. Monika appearing for the respondents.

Harish/-

(Mungeshwar Sahoo, J)

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