

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.488 of 2021

Md. Intasab Ali Khan, Son of Mustajab Ali Khan, resident of Mohalla Professor Colony, Baitun Noor, Road No. 18, Near J.K. S. College, Jawahar Nagar, P.S. Azad Nagar, Mango, District-East Singhbhum, Jamshedpur, Jharkhand.

... .. Appellant/s

Versus

1. Soraiya Nasim, wife of Intesab Ali Khan, resident of Mohalla-White House Compound, Road No. 5, P.S.-Rampur, District-Gaya.
2. Farzan Ali Khan, son of Intesab Ali Khan under guardianship of his mother Soraiya Nasim, resident of Mohalla-White House Compound, Road No. 5, P.S.-Rampur, District-Gaya.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Priyanka Singh, Advocate
For the Respondent/s : Mr.Vishal Vikram Rana, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 04-07-2024 Heard Miscellaneous Appeal No. 488 of 2021.

2. *Prima facie*, the present Miscellaneous Appeal is not maintainable in the light of decision dated 16.09.2016 in Criminal Miscellaneous No. 22165 of 2016 (*Md. Akil Ahmad vs. State Of Bihar and Anr*) reported in **2016(4) PLJR 968**. On the other hand, appellant has remedy under civil miscellaneous petition. Thus, the present Miscellaneous Appeal No. 488 of 2021 stands disposed of for the purpose of statistics.

3. Registry is hereby requested to convert this Miscellaneous Appeal to that of civil miscellaneous petition and



list this matter before the concerned Roster Bench.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

abhishekk/-

U			
---	--	--	--

