

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Appeal No.835 of 2019

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1. Md. Aftab Alam, Son of Late Md. Jalauddin, Resident of Mohall-Milki Mohall, P.S.-Ara Town, P.O.-Ara Chauk, District-Bhojpur.
 2. Md. Wasi, Son of Late Md. Jalauddin, Resident of Mohall-Milki Mohall, P.S.-Ara Town, P.O.-Ara Chauk, District-Bhojpur.
 3. Md. Razi Ahmad @ Razi Ahmad, Son of Late Md. Jaluddin, Resident of Mohall-Milki Mohall, P.S.-Ara Town, P.O.-Ara Chauk, District-Bhojpur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bibi Miskina Khatoon, Wife of Late Md. Jalaluddin, Resident of Mohalla-Milki Mohalla, P.S. Ara Town, District-Bhojpur.
3. Sabnaji, D/o Late Md. Jalaluddin, Resident of Mohalla-Milki Mohalla, P.S. Ara Town, District-Bhojpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Fakhruddin Ali Ahmad
Ms. Anjum Perveen

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

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

4 11-08-2025 Heard the present Miscellaneous Appeal No. 835 of 2019.

2. *Prima facie*, the present M.A. No. 835 of 2019 is not maintainable in the light of decision dated 16.09.2016 passed in Criminal Miscellaneous No. 22165 of 2016 (***Md. Akil Ahmad vs The State of Bihar and another***) reported in **2016 (4) PLJR 968**. On the other hand, appellants have remedy under Civil Miscellaneous petition. Thus, the present M.A. No. 835 of



2019 stands disposed of for the purpose of statistics.

3. Registry is hereby directed to convert the present miscellaneous appeal to that of Civil Miscellaneous petition and list this matter before the concerned Roster Bench at the earliest.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

GAURAV S./-

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