

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3495 of 2012

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Rajani Raman Roy S/o Shree Suresh Kumar Roy, resident of village and Post- Rajwara, Police Station- Korha (Rautara) , District – Katihar.

..... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Katihar.
3. The District Arms Magistrate, Katihar.
4. The Executive Magistrate, Katihar.
5. The Officer Incharge, Korha Police Station within the District of Katihar.
6. The Malkhana Incharge, Katihar Civil Court Malkhana.
7. The Superintendent of Police, Katihar.
8. Rakesh Kumar Jha S/o Sri Sheo Kumar Jha R/o Dibra, Police Station - Nauhatta, District - Saharsa, Posted as Sr. Deputy Collector, Katihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Adv.

For the Respondent/s : Mr. S.D. Sanjay AAG- 12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

11 15-10-2015

Heard the parties.

In the present case, the writ application was filed to return the gun of his father and this Court had given direction for release of the same. When it was not complied, the petitioner has filed the present contempt application.

The counsel for the State submits that during the dependency of this contempt application, the State has given Rs.1,00,000/- to the petitioner in compensation to gun. In pursuance thereof, he purchased a Revolver and also obtained license for the same, but it has only been confined to the district of

Katihar only. The petitioner has a grievance that license of gun was for whole State of Bihar but for malicious reason, the license has been confined to the district of Katihar so he is making prayer that the authority should be directed to extend the area of operation throughout the State of Bihar which cannot be looked into in the present case and for that, the petitioner will have liberty to take legal recourse as available in the Arms Act.

The petitioner has submitted that the Superintendent of Police has given wrong fact in the supplementary affidavit filed in the writ application which is not subject matter of the present proceeding and for that, this contempt application has been filed.

The counsel for the State has submitted that for making a wrong statement, the State has already initiated a departmental proceeding against the person on his instruction wrong statement has been made in supplementary affidavit. It is expected that the authority will fix the responsibility and take him to task in accordance with law.

Accordingly, this petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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