

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14207 of 2013

Arbind Kumar Singh, S/O Late Ram Bharat Singh, Resident Of Keshri Nagar
Road No. 12, P.S. Shastri Nagar, District - Patna

.... Petitioner

Versus

1. The State Of Bihar Through its Chief Secretary Government Of Bihar, Patna
2. The District Magistrate, Patna
3. The Senior Superintendent Of Police, Patna
4. The District Arms Magistrate, Patna

.... Respondents

Appearance :

For the Petitioner : Mr. Vijay Bharti, Advocate

For the State : Mr. Satyendra Rai, A.C. to S.C. 30

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 28-09-2015

Heard learned counsel for the petitioner and the State.

Petitioner is aggrieved by the order dated 30.04.2013
(Annexure 3) passed by the District Magistrate-cum-Licensing
Authority, Patna by which his application for grant of licence for N.P.
Bore Pistol/Revolver has been rejected on the ground of lack of threat
perception upon him.

In my view, the order is in teeth of a decision of this Court
rendered in **C.W.J.C. No. 18535 of 2011 (Manish Kumar Vrs.
State of Bihar) and other analogous cases** holding that lack of any
evidence regarding threat perception cannot form a ground for refusal
of licence under Section 14 of the Arms Act, 1959.

Accordingly, this writ application stands allowed. The

impugned order is quashed and set aside. The matter is remitted back to the licensing authority to take a fresh decision in accordance with law within two months from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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