

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6240 of 2015

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Manjay Kumar Son of Suresh Prasad Singh Resident of Village-
Narayanpur, P.O. Birna Lakhansen, P.s Mahua, District Vaishali.

.... Petitioner

Versus

1. The State of Bihar
2. The Commissioner, Department of Home , Bihar Patna.
3. The District Magistrate, Vaishali at Hajipur
4. The Superintendent of Police , Vaishali at Hajipur
5. The Sub-Divisional police Officer, Mahua, District Vaishali
6. The Officer-in-charge of Mahua, Police Station, District Vaishali.

.... Respondents

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate

For the State : Mr. Amit Kumar Anand, AC to GP 15

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 22-09-2015 Heard learned counsel for the petitioner and the State.

Petitioner seeks quashing of the order dated 01.08.2013 by which the petitioner's application for grant of arms licence has been rejected by the District Magistrate-cum-Licensing Authority, Vaishali at Hajipur on the ground that the petitioner could not give any detail of threat perception faced by him or his family.

In my considered view, the aforesaid issue is no longer *res integra* inasmuch as this Court held in the judgment dated 11.08.2015 rendered by this Court in C.W.J.C. No. 18535 of 2011 (Manish Kumar v. The State of Bihar and others) and other analogous matters that lack of production of evidence regarding threat perception cannot form a ground for refusal of arms licence

under section 14 of the Arms Act.

Accordingly, this writ application stands allowed in terms of the judgment dated 11.08.2015 rendered in C.W.J.C. No. 18535 of 2011 (Manish Kumar v. The State of Bihar and others) and other analogous matters. The impugned order dated 01.08.2013 passed by the District Magistrate-cum-Licensing Authority, Vaishali at Hajipur, as contained in Annexure 1 is quashed and set aside and the matter is remitted back to the District Magistrate-cum-licensing authority, Vaishali at Hajipur , i.e., respondent no. 3, for taking a fresh decision in the same considering the aforesaid judgment rendered in C.W.J.C. No. 18535 of 2011 within a period of three months from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

SC/-

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