

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11480 of 2015

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Satish Chandra Son of Raj Nandan Prasad Singh Resident of Village -
Dariapur, P.S. - Shahpur, District - Patna.

.... Petitioner

Versus

1. The State of Bihar, through the Commissioner Patna Division, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Deputy Superintendent of Police, Danapur, District - Patna.
6. The Sub-Divisional Police Officer, Danapur, District - Patna.
7. The Officer-in-Charge, Police Station - Shahpur, Danapur, District - Patna.

.... Respondents

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Appearance :

For the Petitioner : M/s Sanjay Kumar Mishra and
Manish Kumar Mishra, Advocates
For the State : Mr. Patanjali Rishi, AC to AAG 10

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-10-2015 Heard learned counsel for the petitioner and the State.

Petitioner seeks direction to the District Magistrate-cum-Licensing Authority, Patna, i.e., respondent no. 3, for taking a final decision in the matter of application for grant of licence for DBBL gun.

It appears that on earlier occasion, when the petitioner's prayer for grant of licence was rejected by the licensing authority, he had approached this Court by filing C.W.J.C. No. 16906 of 2010 which was disposed of on 26.06.2012 granting him liberty to avail the statutory appeal. Thereafter, the petitioner preferred



Arms Appeal No. 337 of 2012 which was disposed of directing the licensing authority to consider the case of the appellant after granting him reasonable opportunity to set out his claim and also to seek further report from the Superintendent of Police concerned regarding the land dispute between the petitioner and other family member.

It is contended that there is a land dispute between the petitioner and his uncle, however, it cannot form a ground for rejection of the application of the petitioner for grant of arms licence.

It appears from Annexure 8 that the licensing authority had sought further report from the Superintendent of Police concerned regarding the land dispute and also specific threat perception upon him. It further appears that, in response to the order dated 15.11.2014, the Superintendent of Police has submitted the report contained in Annexure 9. However, again a report has been sought by the District Magistrate, Patna regarding the character of the petitioner and specific threat perception upon him.

Accordingly, this writ application is being disposed of with a direction to the Superintendent of Police, Patna, i.e., respondent no. 4, to make an inquiry into the matter and submit

the report as desired by the licensing authority. Thereafter, the licensing authority would be required to take a decision in the matter in accordance with law. Since emphasis is being given by the licensing authority to evidence regarding any threat perception upon the petitioner's life and property, he would be required to consider the decision of this Court rendered in C.W.J.C. No. 18535 of 2011(**Manish Kumar v. State of Bihar and others**) **and other analogous cases**, disposed of on 11.08.2015,

It is expected that the entire exercise would be completed within a period of four months from the date of receipt/production of a copy of this order

(Dr. Ravi Ranjan, J)

SC/-

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