

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14489 of 2013

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Manohar Yadav @ Abhimanyu Yadav S/O Sri Arjun Yadav Resident Of Village -
Banauli, P.S. Haweli, Kharagpur, District - Munger

.... Petitioner

Versus

1. The State Of Bihar Through Secretary, Home Department, Bihar, Patna
2. The Commissioner, Munger Division, Munger
3. The District Magistrate, Munger
4. The Deputy Collector, Munger
5. The Superintendent Of Police, Munger
6. The Deputy Superintendent Of Police, Munger
7. The Station House Officer, Kharagpur, Munger

.... Respondents

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Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate

For the State : Mr. Manish Kumar, A.C. to G.P. 28

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 28-09-2015

Heard learned counsel for the petitioner and the State.

It is contended on behalf of the petitioner that his licence has been cancelled in view of the involvement of the petitioner in Kharagpur P.S. Case No.106/10 registered under Sections 341, 324, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

His licence has been cancelled vide order dated 17.08.2011 by the District Magistrate-cum-Licensing Authority which was challenged by the petitioner before the Appellate Authority. The appellate authority has upheld the order of the District Magistrate vide order dated 15.05.2013.

It is informed by the petitioner that he has been convicted in the aforesaid case. However, appeal has been preferred in which bail has been granted.

In my view, that would not be enough for revocation of the order of cancellation of his arms licence as he has been admittedly convicted under Section 307 of the Indian Penal Code. However, in case, he is acquitted of the charges, he may file an application for grant of fresh licence before the licensing authority which would be required to be considered in accordance with law.

Accordingly, this writ application stands dismissed with the aforesaid finding and observation.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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