

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16266 of 2013

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Ravi Kumar Son Of Late Sri Birendra Prasad Resident Of Belwarganj, Police
Station Alamganj And District Patna

.... Petitioner

Versus

1. The State Of Bihar
2. Commissioner, Patna Division, Patna
3. District Magistrate, Patna
4. Senior Superintendent Of Police, Patna

.... Respondents

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Appearance :

For the Petitioner : Mr. MD. SHAKIR AHMAD, Advocate

For the State : Mr. Mrigendra Kumar, AC to GA 11

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 25-08-2015

Heard the learned counsel for the petitioner and the State.

Petitioner's application for grant of licence for N.P. Bore
revolver has been refused in view of the fact that he is already
having a licence for DBBL gun and he is already in possession of
such weapon.

In view of the fact that admittedly the elder brother of the
petitioner has been murdered and the petitioner has been granted a
licence for DBBL gun, it cannot be presumed that the licence for
DBBL gun was granted to the petitioner without any threat
perception. That apart, one of the ground for refusal is that the
petitioner is having a licence for DBBL gun.

That also, in my considered opinion, cannot form a ground

for refusal of the petitioner's request for grant of licence for N.P. Bore revolver as there is no provision under section 14 of the Arms Act, 1959(hereinafter to be referred to as "the Act") which lays down such ground for refusal of arms licence. That apart, section 3 of the Act lays down in clear terms that a person can be permitted to possess maximum number of three firearms.

Accordingly, this application stands allowed. The impugned order dated 28.06.2013 contained in Annexure 7 is quashed and set aside and the matter is remitted back to the District Magistrate, Patna, i.e., respondent no. 3, for fresh consideration and taking a decision in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

SC/-

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