

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8043 of 2015

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Syed Shahrukh Hasan Razvi @ Rajan Razvi, S/o- Syed Qaiser Hasan Razvi, R/o- Balkishan Ganj, KAbutri Gali, P.S.- Alamganj, Dsitric- Patna.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Home (Police), Government of Bihar, Patna.
2. The Secretary, Department of Home (Police) Government of Bihar, Patna.
3. The Commissioner, Patna Zone, Patna.
4. The District Magistrate, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Sub-Divisional Magistrate, Patna.

.... Respondents

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Appearance :

For the Petitioner : M/s Fakhruddin Ali Ahmad
Anjum Parween and Lubna Naaz, Advocates

For the State : Mr. Sunil Kumar, AAG 6

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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.

Petitioner's claim for grant of N.P.Bore riffle has been rejected vide Annexure 7 dated 12.2.2015 on the ground that he has already been granted licence for N.P.Bore pistol.

In my considered view that cannot form a ground for rejection of a licence as in view of sub Section (2) of Section 3 of the Arms Act, 1959, a person can carry upto three firearms. A reference in this regard is made to the decision rendered by a Single Bench of this Court in **Arun Kumar Vs. The State of Bihar & ors.** [2000(4) PLJR 552].

Accordingly, this writ application succeeds and the impugned order is quashed and set aside.

The matter is remitted back to the Licensing Authority for fresh consideration in accordance with law within a period of four weeks from the date of receipt / production of a copy of this order.

(Dr. Ravi Ranjan, J)

Spd/-

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