

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5364 of 2016

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1. Krishan Kumar S/O Late Ramjit Prasad, Resident of Village & P.O. Kalyanpur,
P.S. Bihiya, Distt.- Bhojpur.

.... Petitioners

Versus

1. The State of Bihar.
2. The District Magistrate cum Collector Bhojpur, Ara.
3. The Superintendent of Police, Bhojpur, Ara.
4. The Arms Magistrate, Bhojpur, Ara.

.... Respondents

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Appearance :

For the Petitioner : Mr. Gopal Govind Mishra, Advocate

For the Respondents : Mr. Sushant Praveer, AC to SC27

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 28-03-2016

Heard parties.

Petitioner's father was possessing a DBBL gun under valid licence no. 1445-B/9. His father was killed giving rise to institution of Bihiya P.S. case no. 256 of 2014 registered for the offence under Section 302/34 of Indian Penal Code and 27 of Arms Act. After the death of his father, the firearm was deposited before the competent authority. On 15.02.2015, an application was submitted for grant of licence in favour of petitioner. The Superintendent of Police, Bhojpur, Ara recommended the petitioner's claim vide memo no. 659 dated 15.03.2015. Thereafter, the District Magistrate had issued notice upon the petitioner vide Annexure-3 dated 13.04.2015 for furnishing certain information and documents, the petitioner

claims to have furnished the same, however, it is contended that no final decision has been taken as yet.

Having regards to the above facts and circumstances, this writ application is being disposed of with a direction to the District Magistrate cum Licensing Authority, Bhojpur, Ara to take a decision in the matter of the petitioner on its own merit and in accordance with law within a period of four months from the date of receipt/ production of a copy of this order, if the same has already not been done.

(Dr. Ravi Ranjan, J)

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