

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7747 of 2016

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1. Visheshwar Sharma S/o Late Ramashray Sharma, Village- Neema, P.S.- Kalpa (O.P.) at present South Daulatpur, P.S.- Jehanabad, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Jehanabad.
3. The District Arms Magistrate, Jehanabad.
4. The Superintendent of Police, Jehanabad.
5. The Sub-Divisional Officer, Jehanabad.
6. The Officer-in-charge, Kalpal (O.P.) Jehanabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Respondent/s : Mr. Mritunjay Kumar Jha, AC to SC3

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 20-06-2016

Heard the parties.

This is yet another case in which the application for grant of firearm licence has been rejected on the ground that no evidence regarding specific threat perception upon the petitioner could be produced.

This issue no longer *res integra* in view of the decision rendered in **Manish Kumar v. State of Bihar and others and other analogous cases(2015(4) Patna Law Journal Reports 212)** holding that lack of production of evidence regarding threat perception does not form a ground for rejection of firearm licence.

Accordingly, this writ application is allowed, the impugned

order is quashed and set aside and the matter is remitted to the District Magistrate-cum-Licensing Authority, Jehanabad, i.e., respondent no. 2, to take a decision upon the application of the petitioner on its own merit and in accordance with law within a period of three months from the date of receipt/production of a copy of this order and also after considering the ratio decided in **Manish Kumar(supra)**.

(Dr. Ravi Ranjan, J)

SC/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21-06-2016
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