

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9320 of 2016

Rajesh Pratap Singh, Son of Late Baidyanath Prasad Singh, Resident of Mohalla - B -6, Biscomaun Colony, P.O. Gulzarbagh, P.S. Alamganj, District - Patna

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretariat, Patna
2. The Divisional Commissioner, Patna Division, Patna
3. The District Magistrate, Patna
4. The Arms Magistrate, Patna Collectorate, Patna

.... Respondents

Appearance :

For the Petitioner : Mr. Kumar Rajeev, Advocate
For the State : Mr. Nasim Yahya (GP13),
Mr. Ratnakar Ambastha, A.C. to G.P. 13

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 27-06-2016

Heard parties.

This is yet another case in which firearm licence has been refused on the ground of lack of specific evidence regarding threat perception.

This issue is no longer *res integra* inasmuch as this Court in **Manish Kumar Vrs. State of Bihar and other analogous cases [AIR 2016 Patna 9]** has already held that the same does not form a ground for refusal of licence under Section 14 of the Arms Act, 1959.

Accordingly, this writ application stands allowed. The order impugned, as contained in Annexure 3, is quashed and set aside. The matter is remitted back to the Licensing Authority for taking a fresh

decision 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. While doing so, he would be obliged to consider the decision of **Manish Kumar** (Supra).

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
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