

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.291 of 2016

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Sita Ram Prasad, s/o Late Prabhucandra Prasad, r/o - Karuna Bagh, P.S.-
Soh Sarai, Distt.- Nalanda.

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.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The District Magistrate, Nalanda Biharsharif.
4. The District Arms Officer, Nalanda, Biharsharif.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Choudhary, Advocate
Mr. Amresh Kumar Sinha, Advocate
For the Respondent/s : Mr. Ajay Bihari Sinha SC-19
Mr. Neeraj Raj, A.C. to S.C-19

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 11-01-2016 Heard learned counsel for the petitioner and the State.

Petitioner's arms licence was suspended vide Annexure-1 dated 29.03.2014 on the ground that he had failed to produce his arms for verification as per the direction of the licensing authority and at the same time by the same order, the petitioner was directed to show cause as to why his licence should not be cancelled for flouting the direction of the licensing authority.

It is contended on behalf of the petitioner that firearm was already deposited to the Arms and Ammunitions Dealer and he had filed his reply to the show cause notice vide Annexure-3 series. He has taken a ground that he is a retired Judicial Officer



and he had cardiac problem and, at the relevant point of time, he was at New Delhi for the purpose of treatment, therefore, he could not know regarding the aforesaid direction for getting the firearm verified. The moment he returned back from the Delhi, he had deposited the arms to the Arms Dealer, namely, Jasim & Sons, Biharsharif at Nalanda and submitted the receipt to the Officer-in-Charge, Sohsarai Police Station. He has also appended the tickets showing that he had gone to Delhi alongwith his wife Smt. Shakuntala Devi, however, no decision has been taken as yet by the licensing authority.

In above view of the matter, this writ application is being disposed of with a direction to the District Magistrate-cum-licensing-authority, Nalanda at Biharsariff to take a decision in accordance with law considering the grounds raised by the petitioner in the reply to the show cause notice filed by him within a period of four weeks from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

siddharth/-

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