

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6731 of 2014

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Ranvijay Kumar @ Ravindra Son Of Shri Narsingh Prasad Yadav Resident Of
Village - Paijuna, Police Station - Ghoswari, District - Patna

.... Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Home,
Secretariat Building, Patna
2. The Commissioner, Koshi Division, Saharsa.
3. The District Magistrate, Saharsa.
4. The Senior Superintendent Of Police, Saharsa
5. The Officer-In Charge, Ghoswari, P.S. Saharsa

.... Respondents

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Appearance :

For the Petitioner : M/s Manisha Pandey and
Deepak Kumar, Advocates

For the State : AC to SC 20

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 18-01-2016

Heard learned counsel for the petitioner and the State.

Petitioner seeks quashing of Annexure 5 which is an order dated 28.1.2013 passed by District Magistrate, Saharsa by which his fire arm licence has been cancelled as well as the appellate order dated 27.12.2013, as contained in Annexure 7, passed by Commissioner, Kosi Division, Saharsa by which he has upheld the order passed by the licensing authority and dismissed the appeal.

Learned counsel appearing for the petitioner takes sole ground that he has been acquitted of the charges in all the concerned cases. However, this is also admitted position that on the date of

passing of the impugned order, the cases under various sections of Indian Penal Code and Section 27 of Arms Act were pending against the petitioner, thus, the orders impugned cannot be faulted with.

However, if the petitioner has been acquitted from criminal charges in all the cases then he, if so advise, would be at liberty to move before the licensing authority by making a fresh application for grant of arms licence which should be considered by the licensing authority on its own merit and in accordance with law.

This writ application stands disposed of.

(Dr. Ravi Ranjan, J)

Spd/-

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