

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19133 of 2015

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Ravishankar, Son of Late Mathura Prasad, Resident of village - 4- M/137 Bhutnath Road, Bahadurpur Housing Colony, P.S. Agam Kuna District Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Home Secretary State of Bihar
3. The District Magistrate, Patna
4. The Sr. Superintendent of Police, Patna
5. The Sub Divisional Magistrate, Patna
6. The District Arms Magistrate, Patna
7. The Deputy Superintendent of Police, Patna
8. The Officer In-charge Agamkuna Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh

For the Respondent/s : Mr. S. A. ALAM, SC-3

Mr. Mrityunjay Kumar Jha, AC to SC-3

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 04-01-2016

I have heard learned counsel for the petitioner and the State.

The order dated 23.08.2013 passed by the District Magistrate-cum-licensing authority, Patna is under challenge in this writ application by which the petitioner's application for grant of licence of N.P.Bore Revolver/pistol has been rejected on the ground that there was no evidence regarding any threat perception upon the petitioner.

However, it is jointly submitted at the bar that this

issue is no longer *res-integra* as the same has already been considered and decided by this Court in ***Manish Kumar Vs. The State of Bihar and Ors. reported in 2015 (4) PLJR 212*** that non-production of any evidence regarding threat perception upon the applicant cannot form a ground for refusal of arms licence under Section 14 of the Arms Act, 1959.

Accordingly, this application succeeds. The impugned order contained in Annexure-1 is quashed and set aside. The matter is remitted back to the District Magistrate-cum-licensing authority, Patna for fresh consideration in accordance with law.

It is expected that the entire exercise would be completed within a period of ten weeks from the date of receipt/production of a copy of this order.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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