

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8062 of 2016

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Ram Shankar Prasad Singh, Son of Sri Pramod Prasad Singh, Resident of Village- Narayan Piper, Police Station- Cheria Bariyarpur, District- Begusarai at present residing at Ratanpur Mohalla, Police Station- Begusarai Town, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar.
2. The Divisional Commissioner, Munger Division, Munger.
3. The District Magistrate, Begusarai.
4. The Divisional Magistrate, Begusarai.
5. The Arms Magistrate, Begusarai.
6. The Station House Officer, Begusarai Town Police Station, District- Begusarai.
7. The Station House Officer, Cheria Bariyarpur, Police Station, District- Begusarai.

.... Respondents

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Appearance :

For the Petitioner : M/s Dr. Amarendra Kumar and
Ravi Shanker Pankaj, Advocates

For the State : Mr. Rajeev Shekhar, AC to GP24

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 20-06-2016

Heard learned counsel for the petitioner and the State.

A short question has been raised on behalf of the petitioner.

It is contended that the petitioner was holding a licence for DBBL gun. His licence along with several other licences was cancelled vide Annexure-1 on the ground that, despite notice having been published in various newspapers for producing firearms for verification in view of ensuing



election, the petitioner did not comply the same. However, the claim of the petitioner is that his licence was verified on 13.07.2015 itself by the Town Police Station, Begusarai and an endorsement to that effect was made on the licence of the petitioner itself, a copy of which has been appended as Annexure-2.

That being the situation, this writ application is being disposed of with a liberty to the petitioner to approach before the licensing authority by filing a representation along with a copy of this order and a copy of the licence as well as the original licence to show that his firearm was already verified by the Town Police Station, Begusarai and, as such, ground for cancellation was apparent error being non-existent. On such representation having been filed, the licensing authority would be required to examine the matter and if he comes to the conclusion that there was proper verification of the arms licence in accordance with law then he would recall the order of cancellation of arms licence of the petitioner, however, in case he takes a view otherwise then he would be required to pass a reasoned order and communicate the same to the petitioner.

The aforesaid exercise should be completed within
a period of four weeks from the date of filing of such
representation along with a copy of this order.

(Dr. Ravi Ranjan, J)

SC/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2016
Transmission Date	NA