

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16692 of 2016

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Shashikant Singh, son of Dev Sharan singh, Resident of Village-Machhgara, Police Station-Baniyapur, District-Saran at Chapra

.... Petitioner

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar
2. The Divisional Commissioner, Saran at Chapra
3. The District Magistrate, Saran at Chapra
4. The Superintendent of Police, Saran at Chapra,
5. Sub-Divisional Magistrate cum Sub-Divisional Officer, Sadar, Chapra
6. The Arms Magistrate, Saran at Chapra
7. Officer In Charge, Baniyapur, Police Station-Baniyapur, District-Saran at Chapra

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Advocate
For the Respondent/s : Mr. PARTHA SARTHI-GA4
Mr. Apurva Kumar, AC to GA-4

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 23-01-2017

Heard parties.

The petitioner is aggrieved by the order dated 4.08.2016, as contained in Annexure-9, by which the District Magistrate-cum-Licensing Authority, Saran at Chapra has rejected his claim for grant of firearm licence.

This is the second time when the petitioner's claim for grant of arms licence has been rejected. On the first occasion, the order was quashed vide Annexure-6 which is an order dated 5.10.2015 passed in CWJC No.11586 of 2015.



It is contended that, on self same ground, the licence to the petitioner has been refused.

Counter affidavit has been filed. The licensing authority himself has admitted in paragraphs 9 and 11 that some error has occurred in the impugned order and he is ready to reconsider the same. This stand of the licensing authority is appreciated.

Accordingly, this writ application succeeds. The order dated 4.08.2016, as contained in Annexure-9, 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.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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