

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.636 of 2015

In
Civil Writ Jurisdiction Case No. 5981 of 2014

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Durga Singh Son of Late Kalika Singh Resident of Village Nagpur, P.S.
Rajpur, District Buxar.

.... Appellant/s

Versus

1. The State of Bihar
2. The Commissioner, Patna Division, Patna
3. The District Magistrate, Buxar, at Buxar.

.... Respondent/s

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Appearance:

For the Appellant/s : Mr. Rajendra Narayan, Sr. Advocate

For the Respondent-State : Mr. Niraj Kumar Sinha, AC to PAAG2

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 19-07-2017 Heard learned senior counsel for the appellant and
counsel for the State.

Grievance of the appellant is against the decision of
the learned Single Judge dated 11.02.2015 passed in the writ
application where the learned Single Judge refused to interfere
with the order of the licensing authority for initially suspending
his arms license and then cancelling on the ground that an FIR
had been lodged against the appellant where there was an
allegation of the appellant using his licensed rifle in commission



of a crime for which Rajpur P.S. Case No. 117 of 2007 was registered which included besides offences under the IPC even offence under Section 27 of the Arms Act.

The Court is not inclined to interfere with the order of the learned Single Judge at this juncture but it goes without saying that if the appellant had been exonerated by the trial court in Rajpur P.S. Case No. 117 of 2007 then the whole allegation would fail and the appellant will have a right to demand and beget the restoration of the lincense of the Arms which stands cancelled.

It is too early for this Court to preempt the final outcome of the trial.

Appeal stands disposed of with the observations as above.

(Ajay Kumar Tripathi, J)

S.Sb/-

(Rajeev Ranjan Prasad, J)

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