

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13599 of 2017

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1. Dharmdeo Mishra, Son of late Ram Kawal Mishra, Resident of Village-Gopalpur, Police Station- Kargahar, District- Rohtas.
 2. Mithilesh Ojha, Son of Satya Narayan Ojha, Resident of Village-Panaila, P.S.- Kargahar, District- Rohtas.

... .. Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Department of Home (Police), Bihar, Patna.
2. The Commissioner, Patna Division, Patna.
3. The District Magistrate, Rohtas at Sasaram.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh
For the Respondent/s : Mr. Sheo Shankar Pd., SC-8
Mr. Anil Kumar, learned AC to SC-8

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-11-2017 Heard Mr. Rajani Kant Singh, learned counsel for the petitioners and Mr. Anil Kumar, learned AC to SC-8 for the respondent authorities.

The present writ application has been filed for quashing the notice issued in Departmental Arms Case No. 28 of 1995, under the signature of respondent no.3, the District Magistrate, Rohtas at Sasaram, as contained in Annexure-1, whereby the licence of rifle and gun of the petitioners have been suspended on the



ground that they used the same for causing grievous injury, concerning which Kargahar (Barahari) P.S. Case No. 92 of 1995 was registered, and the petitioners were supposed to submit their show cause by 03.01.1996, which has been challenged before this Court through the present writ application in the year 2017.

It is submitted by learned counsel for the petitioners that though, the petitioners submitted their show cause within time, the arms licence is still under suspension and the petitioners have been acquitted vide judgment dated 20.12.2013, passed by learned Assistant Sessions Judge-II, Sasaram, Rohtas in S. Tr. No.639 of 1995, arising out of Kargahar (Barahari) P.S. Case No. 92 of 1995, as contained in Annexure-3, but till date proceeding has not been concluded by the licencing authorities.

Keeping in view the fact that the petitioners have challenged the show cause notice issued in the year 1996, through the present writ application in the year 2017, this Court is not inclined to interfere.

However, it is expected from the licencing authorities to conclude the proceeding by which the arms licence of the petitioners have been cancelled, as gets reflected from Annexure-1, within a period of two months from the date of receipt/production of a copy of this order, if the same has



already not been concluded.

Accordingly, with the above observation and direction, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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