

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1405 of 2016

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1. Md. Athar Imam son of Late Hasan Imam Resident of Mohalla - Purabsarai
Kamela Road, P.S. Kotwali, District - Munger.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Munger.
4. The Superintendent of Police, Munger.
5. The Police Inspector, Kotwali Police Station, Munger.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-08-2017

Delay of 49 days in filing of the appeal is condoned and

I.A. No.5439 of 2016 is allowed and disposed of.

Concurrent orders passed by the statutory authority under the Arms Act, the Appellate Authority under the Arms Act and the learned Writ Court, exercising jurisdiction under Article 226 of the Constitution, have been challenged in this appeal under Clause 10 of the Letters Patent.

The learned Writ Court has found that due to pendency of a criminal case, the arms licence of the petitioner has been



cancelled and this is permissible in view of the law laid down by a Full Bench of this Court in the case of Kapil vs. State of Bihar, AIR 1987 Patna 1222.

As the learned Writ Court has dismissed the writ petition after taking note of the concurrent orders passed by the statutory authority and the appellate authority under the Arms Act and the law laid down in the case of Kapil (supra), we see no reason to make indulgence into the matter.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
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