

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No. 2221 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- BUXAR

=====

Rakesh Kumar Rai, S/o Dr. Radha Mohan Rai, R/O – Hospital Road, Civil Line,
P.S – Buxar (Town), District – Buxar

.... Petitioner

Versus

1. The State of Bihar through District Magistrate, Buxar
2. The Arms Magistrate, Buxar
3. The Superintendent of Police, Buxar
4. The S.D.P.O., Buxar
5. The S.H.O., Buxar (M) Police Station, Buxar
6. The I.O., Buxar (M) Police Station, Buxar

.... Respondents

=====

Appearance :

For the Petitioner : Mrs. Bandana Singh, Advocate
: Mr. Sudhir Kumar Singh, Advocate
For the Respondents : Mr. Manish Kumar, G.P. 4

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-12-2017

Heard learned counsel for the parties.

2. This writ application was filed for a command to the respondents to comply the order of the learned Additional Chief Judicial Magistrate, Buxar dated 04.07.2016 passed in Buxar (Muffsil) P.S. Case No. 97 of 2016 whereby the learned Additional Chief Judicial Magistrate, Buxar has directed release of the licensed pistol of the petitioner in his favour which was seized in connection with the aforesaid case.

3. The respondents in their show cause have stated that



the competent authority i.e. the Arms Magistrate, Buxar under order of the District Magistrate, Buxar had already suspended the licence of the petitioner on 02.07.2016 and proceeding for cancellation of the licence is already going on.

4. Considering the aforesaid factual position no order can be passed in exercise of this jurisdiction of this Court, save and except, direction to respondent no. 1-the District Magistrate, Buxar to pass necessary order in the matter of licence granted to the petitioner at the earliest preferably within three months from today.

5. The order has been passed in presence of the learned counsel for the respondents who shall communicate the same to the respondent no. 1.

6. The petitioner shall file his show cause within 10 days before the District Magistrate, Buxar.

7. Personal appearance of the respondent no. 5 is hereby dispensed with.

8. With the aforesaid observation and direction, this writ application, accordingly, disposed of.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	16.12.2017
Transmission Date	16.12.2017

