

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2374 of 2016

In

Civil Writ Jurisdiction Case No.5123 of 1999

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1. Dharm Deo Choubey, Son of Sri Ram Dular Choubey, resident of village- Karauddi, P.S.- Sanhan, District- Kaimur (Bhabhua).
 2. Ram Ekbal Singh, Sonfo Sri Munni Singh, resident of Village - Joge Baraon, P.S.- Sonhan, District- Kaimur (Bhabhua).

... .. Appellant/s

Versus

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

... .. Respondent/s

Appearance :

For the Appellant/s : Mr Rakesh Narayan Singh
Mr. Kanhaiya Pandey
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 08-01-2018 Delay of 1 year and 128 days is condoned in the interest of justice even though we are not satisfied with the reasons assigned in condonation application. I. A. No.10067 of 2016 stands allowed. The matter is thereafter taken up on merits.

The Court is not inclined to interfere with the order dated 17.07.2015 of the learned Single Judge, who dismissed the writ application. However, an observation is given that if the petitioners are acquitted in the criminal case, they can apply afresh for issuance of arms licence. The Court is informed that



the appellants have been acquitted in the criminal case, therefore, they are free to apply afresh for consideration. It goes without saying that if they fulfill the requirements, the licensing authority will do the needful.

The appeal is otherwise dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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