

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3428 of 2017

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Tuntun Prasad Gupta, Son of Gopaljee Sah, resident of Vyahut Complex,
Ward No. 3, Bihia Road - Piro, P.S. Piro, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Bhojpur
3. The Superintendent of Police, Bhojpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate
For the Respondent/s : Mr. N.H.Khan, SC-1
Mr. Harun Kuraishi, AC to SC-1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-11-2018

Heard Mr. Yogendra Prasad Sinha, learned
counsel for the petitioner and Mr. Harun Kuraishi, learned AC to
SC-1.

The present writ application has been filed for
quashing the order dated 13.10.2016 passed in Arms Licence Case
No. 32 of 2016 passed by Respondent No. 2, District Magistrate,
Bhojpur –cum- licensing authority under the Arms Act, whereby
the application of the petitioner for grant of licence for N.P. Bore
Rifle has been rejected on the ground that the Superintendent of
Police has not recommended for grant of arms licence to the
petitioner.

Keeping in view the fact that the petitioner has



alternative remedy of appeal, under Section 18 of Arms Act, 1959, this Court is not inclined to interfere. However, the petitioner, if so advised, may prefer an appeal before the Appellate Authority, i.e., Divisional Commissioner, Patna Division, Patna within a period of four weeks from the date of receipt of a copy of this order along with application for condonation of delay, whereupon it is expected from the Appellate Authority to consider the application for condonation of delay in view of the fact that the petitioner was pursuing his remedy before this Court.

Accordingly, the present writ application is disposed of.

(Dinesh Kumar Singh, J)

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