

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.983 of 2017

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Shyam Sunder Singh, Son of Late Bishundeo Singh, Resident of Village -Onma, P.S.-Shekhopursaray in the District of Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar, through its Chief Secretary, Bihar, Patna
2. The District Magistrate, Sheikhpura
3. The District Arms Magistrate, Sheikhpura.
4. The Superintendent of Police, Sheikhpura,
5. The Sub-Divisional Officer, Sheikhpura.
6. The Sub-Divisional Police Officer, Sheikhpura
7. The Station House Officer, Shekhopursaray P.S. under the District of Sheikhpura

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.
For the Respondent/s : Ms. Divya Verma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2018 Heard learned Counsels for the petitioner and the respondents.

The present Writ application has been filed for quashing of the order dated 06.07.2017, issued vide Memo No. 926, under the signature of the respondent no.2, the District Magistrate, Sheikhpura, as contained in Annexure-7, whereby, the petitioner's application for grant of NP Bore rifle licence has been rejected on the ground that the police report does not suggest that the petitioner is having any threat to his life and property, meaning thereby, the petitioner is having no threat perception.



It is submitted by learned Counsel for the petitioner that Sections 13 and 14 of the Arms Act, 1959 (hereinafter referred to as 'the Act') do not visualize any condition that a person can only be granted arms licence when there is threat perception and on such ground the rejection of the application for grant of arms licence has been deprecated by this Court in the case of *Manish Kumar Vs. the State of Bihar* reported in 2015(4) PLJR 212.

Since the petitioner has the statutory remedy of appeal under the Act, against the impugned order, this Court is not inclined to interfere.

The petitioner is permitted to prefer an appeal along with an application for condonation of delay in filing of the appeal within a period of three weeks from the date of receipt/production of a copy of this order. It is expected from the appellate authority to consider condonation of delay in filing of the appeal and dispose of the appeal within a period of eight weeks from the date of filing of the same.

The Writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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