

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1443 of 2019

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Dhanjee Chowdhary, age 38 years, Gender-Male, S/O Sri Satya Narayan Chowdhary, Resident of Village-Barahari, P.S Kargahar (Barahari O.P), District-Rohtas at Sasaram.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Home Department, Govt. of Bihar, Patna.
3. The District Magistrate, Rohtas at Sasaram.
4. The District Arms Magistrate, Rohtas at Sasaram.
5. The Superintendent of Police, Rohtas at Sasaram.
6. The Officer-In-Charge, Police Station-Kargahar (Barahari O.P), District-Rohtas at Sasaram.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Babu Nandan Prasad, Advocate.
For the Respondents : Mr.Md. N.H. Khan, S.C. 1.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

The following relief has been sought for by the
petitioner in the present writ application.

“1. That this is an application for grant of an appropriate writ(s), order(s), direction(s) in the nature of writ of mandamus directing the respondent authorities particularly the respondent no. 4, for release of Double Barrel Gun No. 74627, Licence No. 5/12 and Nineteen Cartridges of 12 Bore in favour of the petitioner, which has already been seized in Kargahar P.S. Case No. 223/17 dated 09.08.2017 by the police as the petitioner has been acquitted in Kargahar P.S. Case No. 223/17 vide Judgment dated 05.09.18 passed in Trial No. 953/18



by the learned A.C.J.M., Sasaram and for that the petitioner has already filed an application on dated 24.12.18 for release the Arms before the District Arms Magistrate, Rohtas at Sasaram.”

It has been submitted by learned counsel for the petitioner that the arms of the petitioner was seized in connection with the police case. The petitioner has already been acquitted by the learned court below. An application was filed on 24.12.2018 on behalf of the petitioner for release of arms before the respondent no. 4 The District Arms Magistrate, Rohtas at Sasaram but no order has been passed till date. The respondent no. 4 The District Arms Magistrate, Rohtas at Sasaram is directed to consider the application dated 24.12.2018 filed on behalf of the petitioner and pass an appropriate order in accordance with law within a period of three months from the date of receipt/production of copy of this order.

With the aforesaid observations and directions, the present writ application stands disposed of.

U.K./-

(Sudhir Singh, J)

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