

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3440 of 2018

In
Civil Writ Jurisdiction Case No.9097 of 2017

=====

Dilip Kumar, Son of Basant Singh, Resident of Shanti Kunj, Kurthoul, P.S.
Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Home, Bihar, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The District Arms Magistrate, Patna.
6. The Officer-in-Charge, Kotwali Police Station- Patna.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.Prabhat Kumar Verma, AAG-3

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 04-09-2019 Heard.

The present miscellaneous application has been filed for modification of the judgment dated 19.03.2018, passed in CWJC No. 9097 of 2017 to the extent that the respondents be directed to allow the petitioner to purchase a pistol.

Considering the fact that the writ application was filed with a prayer directing the respondent authority to issue duplicate arms licence to the petitioner as the same was stolen by some unknown person, leading to registration of Kotwali (Patna) P.S. Case No. 398 of 2014, registered under Section 379



of the Indian Penal Code.

It is not in dispute that the duplicate arms licence has already been issued to the petitioner. But, so far the further prayer, as has been made in the modification application, with regard to direction to the respondent authority to allow the petitioner to purchase pistol, it is a fresh cause of action. Hence, modification application is misconceived.

In the circumstances, the present modification application stands disposed of with a liberty to the petitioner to agitate the issue in fresh proceeding.

(Dinesh Kumar Singh, J)

Ashwini/-

U			
---	--	--	--

