

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21641 of 2018

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Ratnesh Kumar Pandey, S/o Kamaldeo Pandey, Resident of Village- Ismail Chak, P.O.- Govind Chak, P.S.- Sonapur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Bihar, Patna
2. The District Magistrate, Saran at Chapra.
3. The Superintendent of Police, Saran at Chapra.
4. The Sub-Divisional Police Officer, Saran at Chapra.
5. The Station House Officer, Sonpur, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh
For the Respondent/s : Mr. Md. Nadim Seraj- Gp5

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and the respondents.

2. Earlier the petitioner approached this Court vide C.W.J.C. 9980 of 2018. The application was disposed of on 19.06.2018. After the order of the writ Court, the matter was examined afresh by the District Magistrate, Saran at Chapra and rejected the application for grant of Arms License on the ground that there is no objective materials to arrive at a conclusion that there is existing threat perception.

3. Threat perception may be relevant, but it is not a solitary ground to reject the application for grant of arms license. Accordingly, the order dated 20.08.2018 is hereby



quashed.

4. The respondents are hereby directed to take fresh decision in the light of 2016 Rules and the judgment of the Division Bench of this Court in the case of **the State of Bihar & Ors. Vs. Deepak Kumar**, reported in **2019 (1) PLJR 664**.

5. It is made clear that the respondents should not reject the application of the petitioner for grant of arms license only on the ground of lack of threat perception, as otherwise repeating the same reason will amount to initiation of contempt.

6. With the aforesaid, this application stands disposed.

(Anil Kumar Upadhyay, J)

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