

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7128 of 2019

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Jai Prakash Yadav S/O- Vidya Nand Ray, R/O- Mohanpur, Punaichak, P.O. -
G.P.O., P.S.- Shastri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Home Secretary, Govt of Bihar,
2. District Magistrate, Patna.
3. District Arms Magistrate, Patna.
4. Additional District Magistrate (Arms), Patna.
5. Divisional Commissioner, Patna.
6. Sr. Superintendent of Police, Patna.
7. Sub-Divisional Magistrate, Patna Sadar.
8. S.H.O. Shastri Nagar, P.S.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manisha Pandey
For the Respondent/s : Mr.Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-04-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Learned counsel appearing on behalf of petitioner submits that the petitioner has filed the present application for direction to the District Magistrate, Patna, for consideration of his case for grant of arms license of N.P. Bore Rifle in addition to the original arms license of N.P. Bore revolver.

Learned counsel for the petitioner submits that in terms of 2016 Rules existing licensee may apply for grant of Additional Arms License and since the petitioner is already holding license for N.P. Bore Revolver. The licensing authority is required to consider and grant N.P. Bore Rifle to the petitioner



in exercise of power under the Arms Act and the 2016 Rules. He referred to the judgment of this Court in C.W.J.C. NO. 2182 of 2018 to contend that the licensing authority is obliged to take decision for grant of additional gun license of the petitioner within the parameters of Rule 15(4) to (6), Rule 18 and Schedule V of Rules 2016.

Considering the fact that similar issue was already examine by co-ordinate Bench of this Court vide judgment dated 21.12.2018 and the Court has already decided the Principle to be applied for grant of additional license to existing licensee, the Court is inclined to allow the present writ application with a direction to the licensee authority namely District Magistrate, Patna to take appropriate decision in terms of Rule 15(4) to (6), Rule 18 and Schedule V of Rules 2016 within a maximum period of 30 days from the receipt/production of copy of this order.

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

(Anil Kumar Upadhyay, J)

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