

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.142 of 2017

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Anand Kumar Tiwary S/o Shri Ram Tiwary, resident of Village- Tekniwas,
P.O.- Kachnar, P.S.- Revilganj, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Home Commissioner, Department of Home, Government of Bihar,
Patna.
3. The District Magistrate, Saran at Chapra.
4. The Superintendent of Police, Saran at Chapra.
5. The Arms Magistrate, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Basant Kumar Singh
For the Respondent/s : Mr.Manish Kumar- Gp4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 24-04-2019 In view of the stand taken by the respondent in

paragraph 8 of the counter affidavit which is quoted below for

ready reference:-

“That after receiving the required reports

and recommendations of the Superintendent of

Police, Saran a notice was issued to the petitioner

vide Memo No. 1007 dated 16.12.2015 in which

direction was given to him to appear during the

hearing on 07.01.2016. Accordingly, the

petitioner’s father appeared on 07.01.2016 before

the licensing authority & petitioner was directed to



appear on 28.01.2016 but he was absent on that date. Further the petitioner was directed to appear on 11.02.2016 but again his father appeared but the petitioner was himself absent. Therefore, the petitioner & his father were directed to appear on 18.02.2016 on which both were present.”

Considering the aforesaid the writ petition stands disposed of with direction to District Magistrate, Saran at Chapra to reconsider the application of the petitioner, the rejection of the Arms license on the ground of threat perception alone may not be ground to refuse Arms license. Accordingly, the District Magistrate Saran at Chapra is directed to examine afresh the application for grant of Arms license to the petitioner in the light of the law laid down by Division Bench reported in 2019, (1) PLJR 664 and take necessary decision within a maximum period of four months from the receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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