

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2735 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 5656 of 2014

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Satyendra Narayan Singh, Son of Late Ramashish Rai, Resident of Village-
Saleya, P.O.- Akodhigola, P.S.- Akodhigola, District- Rohtas (Sasaram),
Bihar.

... .. Petitioner/s

Versus

1. Anjani Kumar Singh, the State of Bihar through the Chief Secretary,
Government of Bihar, Patna.
2. Anand Kishore, the Commissioner, Patna Division, Patna.
3. Animesh Kumar Parasar, the District Magistrate, Rohtas (Sasaram), Bihar.
4. Sanjay Kumar the District Arms Magistrate, Rohtas (Sasaram), Bihar.
5. Manavjit Singh Dhillon the Superintendent of Police, Rohtas (Sasaram),
Bihar.
6. Pankaj Patel, the Sub Divisional Officer, Dehri, Rohtas (Sasaram), Bihar.
7. Vivek Raj, the Officer in Charge, Akodhigola Police Station, Akodhigola,
Dihri, Rohtas (Sasaram), Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar Singh, Advocate
For the State	:	Mr. P. K. Verma, AAG 3
		Mr. Sanjay Kumar Ghosarvey, AC to AAG 3

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 30-08-2019

Heard learned counsel for the petitioner and learned
AAG 3 for the State.

2. Pursuant to order dated 13.08.2019, the District
Magistrate-cum-Licensing Authority, Rohtas is present in Court.
The reason why he was called is recorded in the order dated
13.08.2019.



3. Today, in the show cause filed by him, copy of order dated 25.02.2019 has been brought on record which discloses that the application for grant of arms licence to the petitioner has been rejected.

4. On a query of the Court, the District Magistrate-cum-Licensing Authority, Rohtas submitted that basically the rejection is on the ground that the petitioner could not produce a certificate showing that he has training with regard to dealing and operating the arms for which license has been sought and the same is now mandatory under the Arms Rules, 2016. However, he fairly submitted that if the petitioner applies afresh after fulfilling such and other requirements in law, and is able to satisfy the authorities, his application for grant of arms licence shall be considered, in accordance with law.

5. Though, the order dated 08.12.2015 required the District Magistrate-cum-Licensing Authority, Rohtas to take a decision within eight weeks and there has been more than inordinate delay, but considering the fact that many officers have held the post since passing of the order of the writ Court, coupled with the fact that the present member has tendered unqualified and unconditional apology, the Court is inclined to accept the same.

6. The application, accordingly, stands disposed off.



7. However, the Court would only indicate that the District Magistrate-cum-Licensing Authority, Rohtas shall act in accordance with the stand taken by him before the Court regarding fresh application to be made by the petitioner which shall be considered, in accordance with law, on its own merits.

8. Personal appearance of the District Magistrate-cum-Licensing Authority, Rohtas stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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