

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1013 of 2018

Arising Out of PS. Case No.-252 Year-2016 Thana- BUDDHACOLONY District- Patna

Vijay Kumar Sinha Son of Krishna Kumar Sinha, Resident of Mohalla-Kankarbagh More, Behind, Steel House, Police Station- Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through The Principal Secretary, Department of Home, Government of Bihar, Patna
2. The Senior Superintendent of Police, Patna.
3. The Office-in-charge, Buddha Colony Police Station Patna.
4. The Investigation Officer, Buddha Colony P.S. Case No. 252/2016, Buddha Colony P.S., Patna.
5. The District Magistrate, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Madhu Prasun, Adv.
For the Respondent/s : Ms. Divya Verma, A.C. to A.A.G.3

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

10 22-01-2022 Heard learned counsel for the petitioner and learned counsel for the respondents through video conferencing.

The petitioner has preferred this application for quashing the order dated 30.6.2017 of the learned Additional District and Sessions Judge III, Patna passed in Cr. Revision no.132 of 2017 whereby the learned Additional District and Sessions Judge was pleased to dismiss the revision application preferred against the order dated 10.1.2017 of the learned Judicial Magistrate 1st Class, Patna passed in Buddha Colony P.S. Case no.252 of 2016.



The case of the petitioner in brief is that pursuant to lodging of the F.I.R. being Buddha Colony P.S. Case no.252 of 2016, the pistol of the petitioner was seized and the petition filed by the petitioner for release of his pistol was rejected by order dated 10.1.2017 by the learned Judicial Magistrate 1st Class, Patna. As stated above, the criminal revision application preferred against the said order was also dismissed.

It is submitted that during pendency of this application, the respondents-State authorities are proceeding in a prejudiced manner and by order dated 20.12.2021 (Annexure-D to the counter-affidavit of respondent no.5), the respondents have come out with an order under the signature of the District Magistrate, Patna suspending the arms license of the petitioner.

Having heard learned counsel for the parties and in view of the order dated 20.12.2021 passed by the District Magistrate, Patna suspending the arms license of the petitioner wherein the petitioner was holding the N.P. Bore pistol, in the opinion of this Court, nothing remains to be decided by this Court for the present.

The application stands dismissed.

The petitioner is directed to appear before the District Magistrate, Patna and to cooperate in the disposal of the



proceedings with respect to his Arms license no.69 of 2014 (P.S. Kankarbagh) which the District Magistrate, Patna shall dispose of at the earliest preferably within a period of four months from the date of receipt of a copy of this order.

(Partha Sarthy, J)

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