

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3067 of 2020

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Anand Kumar S/o Bishnudeo Prasad Resident of Village- Maraiya, P.S.-
Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Bihar, Patna.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Khagaria.
4. The Superintendent of Police, Khagaria.
5. The Sub-Divisional Officer, Gogari, District- Khagaria.
6. The Deputy Collector, In-Charge, Arms License, Khagaria.
7. The Sub-Divisional Police Officer, Khagaria.
8. The Officer-in-Charge of Parbatta P.S., District- Khagaria.
9. The S.H.O., P.S.- Parbatta, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the State : Mr.Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 21-08-2023

1. The present writ petition has been filed seeking the
following reliefs:-

*“(i) For issuance of any appropriate writ or writs,
rule or direction especially in the nature of
certiorari, quashing the order dated 03.03.2019
passed by the Respondent District Magistrate,
Khagaria (Respondent No. 2) in Arms License
Record No. 28/2019 whereby and where under the
application for grant of Arms License has been
rejected taking in view of that there is no first*



information report instituted at the instance of the petitioner as such no occasion arises for any threat perception to the petitioner and there is no trend certificate has been annexed with the application of the petitioner.

(ii) For issuance of any appropriate writ or writs, rule or direction especially in the nature of certiorari, quashing the order dated 10.12.2019 passed by the Divisional Commissioner, Munger (Respondent No. 2), passed in Arms Appeal No. 62 / 2019 whereby and where under the appeal filed on behalf of the petitioner has been dismissed and affirmed the order passed by the District Magistrate, Khagaria.

(iii) For issuance of any appropriate writ of writs, rule or direction especially in the nature of mandamus directing the respondent District Magistrate, Khagaria to grant Arms License to the petitioner on the basis of recommendation made by the concerned authority.”

2. At the outset, the learned counsel for the petitioner has submitted that the case of the petitioner for grant of arms licence has been rejected only on the ground that he was not possessing the training certificate, required to be possessed under the new Arms Rules, 2016. It is submitted that now the petitioner is in possession of the training certificate, hence, he be granted liberty to approach the District Magistrate, Khagaria,



for grant of arms licence and the District Magistrate be directed to pass appropriate orders, within a stipulated time frame.

3. Liberty so sought is granted, however it is explicated that this Court has neither interfered with the impugned orders dated 03.03.2019 and 10.12.2019, passed by the District Magistrate, Khagaria and the Divisional Commissioner, Munger Division, Munger, respectively nor expressed any opinion on the merits of the case.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2023
Transmission Date	NA

