

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4949 of 2023

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Md. Ashfaque Anjum @ Ashfaf Anjum Son of Late Md Abdul Kuddus,
Resident of Village- Mushkipur, P.O.- Jamalpur Gogri, P.S.- Gogri, District-
Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Khagaria.
4. The Superintendent of Police, Khagaria.
5. The Deputy Superintendent of Police, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Parwej Khan, Adv.
For the Respondent/s : Mr.Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-10-2023 1. The present writ petition has been filed seeking the
following relief(s):-

“1. That, this writ application is being filed on behalf of petitioner for issuance of writ of Certiorari, Mandamus or any other appropriate writ(s)/order(s)/direction(s) to set aside the order dated 09.12.2022, passed by the Divisional Commissioner, Munger (Res. No. 2) in Arms Appeal No. 226 of 2022, which was dismissed due to time barred at acceptance stage itself, as well as to set aside the Ex-party order dated 30.07.2022, passed by the District Magistrate, Khagaria (Res. No. 3) in Arms Appeal case No.18 of 2022 (wrongly mentioned in order dated 09.12.2022 as 08 of 2022),



(passed in the light of order dated 22.07.2022 of this Hon'ble Court in CWJC NO. 1372 of 2021) by which the application for proposal /consideration filed by petitioner along with other requisites paper to grant Arms License for D.B.B. gun and N.P. Bore Rifle initially on 28.01.2011 and thereafter submitted on 27.07.2022 along with the order of this Hon'ble Court has been rejected."

2. At the outset, the learned counsel for the petitioner submits that since the District Magistrate, Khagaria vide the impugned order dated 30.07.2022, passed in Arms Record Case No.18 of 2022, has granted liberty to the petitioner to file a fresh application for grant of arms license, in accordance with the provisions contained in the new Arms Rules, 2016, the petitioner be granted liberty to file appropriate application in the appropriate format, for the purposes of grant of arms license. Liberty so sought is granted.

3. It is needless to state that in case appropriate application along with the requisite documents is filed in accordance with the provisions contained in the new Arms Rules, 2016, within a period of four weeks from today, the same shall be considered by the District Arms Magistrate/District Magistrate, Khagaria, in accordance with law and a reasoned and a speaking order shall be passed thereon, within a period of



eight weeks, thereafter.

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

(Mohit Kumar Shah, J)

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