

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1230 of 2019

In

Civil Writ Jurisdiction Case No.24282 of 2013

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Raj Kumar Son of Late Bhuneshwar Prasad Resident of Mohall-Prasad Bigha,
P.S. and District-Nawada Petitioner/s

Versus

1. The State of Bihar
 2. Mr. P.N. Bindeswari, the Divisional Commissioner, Magadh Division at Gaya
 3. Mr. Kaushal Kumar, the District Magistrate-cum-Licensing Authority, Nawada
 4. Mr. Devendra Suman, the District Arms Magistrate, Nawada
 5. Mr. Hari Prasath S, the Superintendent of Police, Nawada
 6. Mr. Jitendra Kumar, the Officer-in-Charge, Nawada (Town), Nawada
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kr. Sinha, Advocate
Mr. Bhola Kumar, Advocate
Mr. Ravi Shankar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

8 13-07-2023 Heard the parties.

The present petition has been preferred for compliance of the order dated 18.7.2016 passed in C.W.J.C. No. 24282 of 2013 by which direction was given to the respondent authorities to consider afresh the grant of arms license to the petitioner.

A show cause was earlier filed stating that the arms license has subsequently been granted to the petitioner.

Learned counsel for the petitioner submitted that the rifle that was deposited with the Nawada Town P.S. was not returned.



Pursuant to the direction of the earlier bench of this Court, the Superintendent of Police, Nawada conducted an enquiry in which, it came to light and as per the report submitted by Sub Divisional Officer, Sadar, Nawad vide letter No. 243 dated 22.1.2022 and 3402 dated 13.8.2022, the petitioner indeed submitted rifle to the then Officer-Incharge, Ram Nihora Thakur and as such the report submitted by the gentleman (Ram Nihora Thakur) that the petitioner had not deposited the rifle during his tenure from 25.4.2006 to 7.1.2007 is incorrect.

Learned counsel for the petitioner, however, concedes that direction of the writ court was limited to grant of license which has been complied with. He further seeks liberty to take appropriate steps for return of his rifle which got missing from the police custody, Nawada police.

Taking into account the aforesaid case, the MJC No. 1230 of 2019 stands disposed of with liberty to the petitioner to seek an appropriate remedy for retrieving is rifle.

(Rajiv Roy, J)

Ravi/-

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