

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10146 of 2023

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Shashiraj Kumar Son of Dharmendra Prasad Resident of Village- Saidalli,
Police Station- Rahui, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda at Biharsharif.
5. The Sub- Divisional Magistrate, Biharsharif.
6. The Superintendent of Police, Nalanda at Biharsharif.
7. The Deputy Superintendent of Police, Nalanda at Biharsharif.
8. The Circle Officer, Rahui, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Respondent/s : Mr. M. Nasrul Huda Khan (Sc 1)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-11-2023 Heard the parties.

2. The learned counsel for the petitioner has submitted that the despite the recommendation by the Superintendent of Police, Nalanda his application for grant of arms license has been rejected by the District Arms Magistrate Nalanda by order dated 21.11.2019 and the same has been affirmed in appeal by the Divisional Commissioner, Patna vide order dated 21.02.2021.

3. The order of the District Arms Magistrate shows that the report of the Superintendent of Police, Nalanda has not given any opinion on the application of the petitioner though the



Superintendent of Police, Nalanda has given his comment for grant of Arms license.

4. From reading the report of the Superintendent of Police, Nalanda dated 17.03.2017, the order dated 21.11.2019 and the order dated 21.02.2021 seems to have been passed without considering the report of the Superintendent of Police, Nalanda.

5. In these circumstances the order dated 21.11.2019 and the order dated 21.02.2023 are hereby quashed.

6. The District Arms Magistrate, Nalanda is directed to pass a fresh order within four weeks from the date of receipt/communication of a copy of this order in view of the fact that the Superintendent of Police, Nalanda has recommended for grant of arms of arms license to the petitioner.

7. Let a copy of this order be communicated to the District Magistrate, Nalanda through FAX and e-Mail for its compliance forthwith.

(Sandeep Kumar, J)

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