

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15225 of 2022

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Manoj Singh @ Manoj Kumar Singh son of Saryu Singh Resident of Village
Bibipur, Police Station Rafiganj District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police Aurangabad.
4. The S.H.O. Rafiganj Police Station Aurangabad.
5. The Block Development Officer Rafiganj Block, Aurangabad.
6. The Circle Officer, Rafiganj Block, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar, Advocate
For the State	:	Mr.Manish Kumar (Gp 4)
		Mr.Manoj Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-09-2023 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(a) For issuance of a writ of certiorari to
quash the notice dated 07.10.2022 issued in
Arm License Case No. 01/2022 by the District
Magistrate Aurangabad by which the license of
Arms of the petitioner and his other family
members have been suspended and have
proceeded ahead to cancel the arms license
without enclosing copy of complaint along with
the notice.*

*(b) Consequently for issuance of direction upon
the District Magistrate Aurangabad to make an
enquiry regarding threat on life of petitioner*



and his other family members by the Naxals for the reason that the petitioner has become witness to the seizure of Arms of a top leader of Naxals of the state in order to extend helping hand to the Government in its endeavor to eradicate Naxals.

(c) For directing the respondent no.2 not to cancel the arm license of petitioner and his family members owing to threat on life on them by the Naxals of the local area.”

2. At the outset, the learned counsel for the petitioner submits that a direction be issued to the District Magistrate, Aurangabad to finally decide the case of the petitioner, regarding the validity of the Arms License being possessed by him.

3. It is stated that the arms license of the petitioner was suspended on 07.10.2022, however, till date the final decision has not been taken. It is also submitted that the Superintendent of Police, Aurangabad has sent a recommendation in favor of the petitioner for possessing arms inasmuch as the area, where the petitioner is residing, is a Naxalite affected area and the petitioner is having a genuine threat perception.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to dispose off the present writ



petition with a direction to the District Magistrate, Aurangabad to take a final decision, in accordance with law, within a period of four weeks from today, with regard to either revoking the suspension of the arms license or cancellation, thereof, by passing a reasoned and a speaking order.

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

(Mohit Kumar Shah, J)

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