

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3042 of 2017

In
Civil Writ Jurisdiction Case No.13097 of 2016

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Sanjay Kumar, S/o Late Subhash Prasad, Residing Permanently at Chandi,
P.O.- Brindawan, P.S.- Ariyari, District- Sheikhpura, and presently residing at
Loco Colony, Qr. No. 256/A, P.S.- Jakkanpur, Karbigahia, Patna- 800001.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Amir Subhani, Principal Secretary, Home Special, Govt. of Bihar, Patna. namely Mr. Amir Subhani.
2. Mr. Sanjay Agrawal, the District Magistrate, Patna Collectorate Campus, Patna.
3. Mr. Manoj Kumar, The District Arms Officer, Patna Collectorate Campus, Patna.
4. Mr. Mainee Maharaj, Superintendent of Police, Patna.
5. Mr. Mukesh Kr. Verma, The S.H.O. Jakkanpur Police Station, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Saroj Kumar Sharma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

6 08-09-2023 Heard Mr. Deepak Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Saroj Kumar Sharma, learned

counsel representing the State.

2. Learned counsel for the petitioner, while pressing
the present contempt petition, submits that despite specific order
of this Court, directing the opposite party no.2 to consider
Annexure-1, which is an F.I.R. lodged by the petitioner and has
been registered by the police under Sections 341, 323, 504 and



34 of the Indian Penal Code and Section 3(1)(x)/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, unfortunately the claim of the petitioner has again been negated and, moreover, even fresh report from the police has not been called for.

3. On the other hand, learned counsel for the State by referring to the order passed by the District Magistrate, Patna submits that from the order itself it is evident that the F.I.R. instituted by the petitioner was duly considered before coming to the final conclusion. He further submits that so far the liberty with regard to seeking fresh report from the police is concerned, the same was at the option of the authority concerned. Moreover, as the licensing authority had satisfied with the materials available on record, the claim of the petitioner has not find favour and final order has been passed.

4. Be that as it may, having considered the submissions made on behalf of the parties and considering the fact that in compliance of the order of this Court, the District Magistrate, Patna has already passed a reasoned and speaking order, the present contempt application stands disposed of.

5. The petitioner is at liberty to assail the order before the appropriate forum or the authority concerned or in any



proceeding as available under the law.

(Harish Kumar, J)

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