

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1097 of 2020

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Aditya Kumar S/o Rajendra Prasad Singh Resident of Vill.- Pokhraise, P.S.-
Mufassil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, (Home), Bihar, Patna
2. The Divisional Commissioner Darbhanga Division, Darbhanga
3. The District Magistrate Samastipur
4. The Superintendent of Police Samastipur
5. The District Arms Magistrate Samastipur
6. The Officer-in-Charge P.S.- Mufassil, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vasant Vikas
For the Respondent/s : Mr.Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 05-12-2023 The supplementary affidavit filed on behalf of the
petitioner is taken on record.

2. Heard the parties.

3. The present application has been filed for quashing
the order dated 03.09.2019 passed by the Divisional
Commissioner, Darbhanga Division in Arms Appeal No. 02 of
2018 by which he has dismissed the appeal preferred against the
order dated 05.12.2017 passed in Arms Case No. 135 of 2017.

4. Learned counsel for the petitioner submits that his
application for grant of licence for revolver has been rejected
because he possesses one licence of revolver/pistol and the



orders are illegal.

5. Learned counsel for the State submits that the rejection is basically because the petitioner had applied for grant of fresh arms licence whereas as per Section 3 of the Arms Act, the petitioner can apply for one more arms on the existing licence.

6. In view of the aforesaid submission of the learned counsel for the State, this application is allowed.

7. The order dated dated 03.09.2019 passed by the Divisional Commissioner, Darbhanga Division in Arms Appeal No. 02 of 2018 is hereby quashed.

8. The petitioner is directed to file a fresh application in accordance with law for addition of one more arms in his existing arms licence which shall be considered by the Collector in accordance with law.

9. The communication must be done within six months from the date of communication of the order.

(Sandeep Kumar, J)

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