

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2467 of 2018

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Israr Khan Son of Late Md. Yunus Khan, resident of Village- Noughara, P.S.- Chainpur, District- Bhabhua.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Bhabhua.
4. The Superintendent of Police, P.S.- Chainpur, District- Bhabhua.
5. The Officer-in-charge of Chainpur Police Station, District- Bhabhua.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha, Advocate
For the Respondent/s : Mr.Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 05-02-2024 Heard the parties.

2. The application of the petitioner for grant of arms license has been rejected by the District Magistrate, Kaimur in Arms License Cancellation Case No. 8/2015-16 by order dated 30.07.2015 and the same has been affirmed by the Divisional Commissioner, Patna in Arms Appeal No. 17/2016 by order dated 19.09.2017.

3. It has been submitted by learned counsel for the petitioner that both the aforesaid orders have been passed considering the fact that the petitioner was an accused in a criminal case.

4. Learned counsel for the petitioner further relies on



Annexure-8, which is the order of the ACJM, Kaimur passed on 26.04.2017 and submits that the petitioner has already been acquitted.

5. In view of the aforesaid, this application is allowed.

6. Accordingly, the order dated 30.07.2015 passed by the District Magistrate, Kaimur and the appellate order dated 19.09.2017 passed by the Divisional Commissioner, Patna are hereby quashed and the matter is remitted back to the District Magistrate, Kaimur for fresh consideration.

7. The Arms License granted in favour of the petitioner is hereby restored.

(Sandeep Kumar, J)

P. Kumar

