

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4467 of 2024

Md. Shamim Reyaz Son of Late Md. Jameel, Resident of Mohalla Sarai Sattar
Khan, P.O. and P.S.- Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Govt. of Bihar.
2. The Divisional Commissioner, Darbhanga Division, Darbhanga.
3. The District Magistrate, Darbhanga.
4. The Senior Superintendent of Police, Darbhanga.
5. The Additional District Magistrate, (Arms), Darbhanga.
6. The District Arms Magistrate, Darbhanga.
7. The Sub-divisional Officer, Darbhanga.
8. The S.H.O. Laheriasarai Police Station, District- Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manisha Pandey
For the Respondent/s	:	Mr. Government Pleader (22)
		Mr. Narendra Kumar Singh Ac to Gp 22

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-03-2024 This is an application for setting aside the

impugned order dated 24.11.2023 contained in letter dated

30.11.2023 passed in Arms Case No. 143 of 2023 by the District

Magistrate, Darbhanga by which the petitioner's arms license

has been cancelled.

2. The District Magistrate, Darbhanga has passed

the impugned order dated 24.11.2023 contained in letter dated

30.11.2023 by which he has cancelled the arms license of the



petitioner on the ground that there was no approval of the District Magistrate on the file of the petitioner by which has been granted arms license. The petitioner was granted the license and thereafter he has procured the license.

3. Before the District Magistrate, the petitioner had relied upon the judgment of *Hamid Ansari & Serajuddin Ansari V/s The State of Bihar & Ors* passed in *C.W.J.C. No. 782 of 2009* and had submitted that this judgment has not been considered by the District Magistrate, Darbhanga.

4. In view of the above, this application is allowed.

5. The impugned order dated 24.11.2023 contained in letter dated 30.11.2023 passed in Arms Case No. 143 of 2023 by the District Magistrate, Darbhanga so far as it relates to the petitioner is hereby quashed.

6. The matter is remitted back to the District Magistrate, Darbhanga to consider the case of the petitioner afresh in view of the judgment/order of this Court in the case of *Hamid Ansari & Serajuddin Ansari V/s The State of Bihar & Ors (supra)*.

7. The consideration must be done on or before 31st of July, 2024 after hearing the petitioner and after calling a fresh report from the concerned police station.



8. Let a copy of this order be communicated to the District Magistrate, Darbhanga through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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