

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6046 of 2023

Sanjay Kumar Singh Son of Late Shiv Darash Singh Resident of Village-
Laddugama, P.O. and P.S.- Benipatti, District- Madhubani, Bihar, at present
residing at 2B Vatika Apartment, Near Tank Road, Line Talab, P.O.- GPO,
P.S.- Kotwali, District- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Govt. of Bihar, having its office at Vikas Bhawan, P.O. and P.S. Bailey Road, District- Patna, Bihar.
2. The Commissioner, Darbhanga Division, P.O. and P.S. Darbhanga, District- Darbhanga, Bihar.
3. The District Magistrate, Collectorate Complex, Madhubani, P.O. and P.S. Madhubani, District- Madhubani, Bihar.
4. The District Arms Magistrate, Collectorate Complex, Madhubani, P.O. and P.S. Madhubani, District- Madhubani, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vindhyachal Singh, Sr. Advocate Mr. Amish Kumar Singh, Advocate Mr. Prashakan Thaur, Advocate
For the Respondent/s	:	Mr. P.K. Verma, AAG-3 Mr. Dr Mankeshwar Tiwari, AC TO AAG-3

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 16-01-2024

Heard the learned counsel for the parties.

2. This application has been filed for the direction in the nature of Certiorari for quashing of the decision as contained in Letter No. 10 (Shashtra)-01-2022-23 dated 13.01.2023 (Annexure-9/1) which has been communicated to the petitioner vide letter contained in memo no. 68 dated 10.02.2023 (Annexure-9) issued under the signature of the respondent no. 4, whereby and whereunder the prayer of the petitioner for variation and expansion of arms licenses no. 1285/ 2015 (Annexure-5) throughout the country has



been rejected without assigning any reason.

3. The letter dated 13.01.2023 issued by the Secretary of the Commissioner, division- Darbhanga, Darbhanga, is a three line letter saying that the petitioner doesn't possess the qualifications for permitting the petitioner to carry his weapons all over India except the prohibited places and necessary correction in the license.

4. The letter dated 13.01.2023 is bereft of reasons and the same cannot be sustained.

5. The legal right of the petitioner cannot be considered by few lines by the Commissioner, Darbhanga. It has to be a reasoned order.

6. This application is allowed. The letter dated 13.01.2023 and the consequential letter dated 10.02.2023 issued by the District Arms Magistrate, Madhubani are hereby quashed.

7. The authorities are directed to consider the case of the petitioner afresh in accordance of law and after hearing him.

(Sandeep Kumar, J)

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