

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17356 of 2023

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Rahul Kumar S/o Shyamdeo Singh, resident of Village-Bihat, P.S. F.C.I.
Begusarai, District-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of (Home),
Police Bihar, Patna.
2. The Divisional Commissioner, Munger Division, Munger.
3. The District Magistrate, Begusarai.
4. The Superintendent of Police, Begusarai.
5. The District Arms Magistrate, Begusarai.
6. The S.H.O. F.C.I. O.P., District-Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar
For the Respondent/s : Mr.Sita Ram Yadav (Gp 16)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-03-2024 Heard the parties.

2. The present application has been filed for the
following reliefs :

*(i) For quashing the order dated 30-08- 2023
passed by learned Divisional Commissioner, Munger in
Arms Appeal No. 102/ 2023 whereby the learned
Commissioner dismissed the Arms Appeal No. 102/2023 on
the ground that a criminal case bearing Neemachandpura
P.S. Case No. 54/ 20 has been lodged against the petitioner.*

*(ii) To quash the order dated 08-06-2023 passed
by the court of District Magistrate, Begusarai in Arms
License Case No. 02/2023 by which he has rejected the
Arms License Case No. 02/2023 on the ground that the
SHO, F.C.I. O.P(Barauni) has reported that a case vide
Neemachandpura P.S. case No 54/ 2020 has been lodged*



against the petitioner and in this case final Form No 46/21 dated 30-03-21 has also been submitted by the police against the petitioner.

(iii) To direct the respondent No. 3 to grant the fire arms license of the petitioner taking into the consideration that the petitioner's life and property is in danger.

3. The petitioner will approach the Collector, Begusarai again for grant of Arms licence if he is acquitted in the criminal case.

4. If after acquittal, the petitioner approaches the Collector, Begusarai for grant of arms licence, it shall be considered on its own merits. The Collector shall not be prejudiced by the earlier rejection on the ground that a criminal case was pending.

5. With the aforesaid direction, this application is disposed of.

(Sandeep Kumar, J)

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