

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.538 of 2024

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Rajesh Wilson Son of Late H.M. Wilson Resident of Kanta Kunj, Christian Colony, Lodipur, P.S.-Budha Coliny, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Department, Patna.
2. The Additional Chief Secretary, Home Department, Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Arms Magistrate, Patna.
7. The Officer Incharge, Budha Colony Police Station, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel 04

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 20-04-2024 Heard the parties.

Re.: I.A. No. 1 of 2024

2. The present interlocutory application has been filed on behalf of the petitioner for making amendment in prayer portion of the writ petition by adding Paragraph-I (iv) by assailing the order dated 14.03.2024 contained in Memo No. 843 passed by the respondent nos. 3 & 6.

3. For the reasons mentioned in the Interlocutory Application No. 1 of 2024, the same is allowed.

Re.: C.W.J.C. No. 538 of 2024

4. It has been submitted by the learned counsel for the petitioner that the petitioner is the Secretary of the Baptist Union Church Committee and has been threatened. The earlier Secretary, Henry Harun has been killed and one more Church Secretary, Rajendra Kamal was injured by criminals. It is further submitted that a number of litigations are going on between the petitioner and the promoters of the company, namely, Ambuja Realty which has built a Mall illegally and one Avian Developer. In a nutshell, the submission of the petitioner is that the petitioner is protesting against the illegal acquisition and development of the Church property by builders in connivance with some Church officials, as well as some district officials, therefore, he should be protected. He has not applied for the arms license without any reason. None of the contentions of the petitioner have been considered by the Collector, Patna in the impugned order dated 14.03.2024 as Annexure-3 to the Interlocutory Application No. 1 of 2024.

5. Accordingly, the present writ application is allowed.

6. The order dated 14.03.2024 is hereby quashed.

7. The District Magistrate, Patna is directed to re-consider the application of the petitioner afresh, considering

threat to the petitioner as has been submitted above by the learned counsel for the petitioner. The fresh order must be passed by 31.07.2024.

(Sandeep Kumar, J)

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