

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1964 of 2024

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Ram Shankar Prasad Singh S/o Late Ayodhya Prasad Singh resident of Naya Gola, Mokama, Police Station - Mokama, District - Patna.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manisha Pandey
For the Respondent/s : Mr.Government Advocate (11)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-02-2024 Heard the parties.

2. The present application has been filed for setting aside the order contained in Memo No. 2211/Arms dated 26.04.2019 passed by the District Magistrate, Patna by which the petitioner's application for grant of N.P. bore Revolver/Pistol licence has been rejected.

3. Learned counsel for the petitioner submits that the petitioner was shot at for which FIR No. 181/13 was lodged under Section 452/307 of the Indian Penal Code and Section 25(1-b)a of the Arms Act. Learned counsel for the petitioner further submits that the impugned order is perverse and is fit to be set aside.



3. In these circumstances, the order as contained in Memo No. 2211/Arms dated 26.04.2019 passed by the District Magistrate, Patna is perverse and the same cannot be sustained. It is, accordingly, quashed.

4. The District Magistrate, Patna is directed to consider the arms application of the petitioner afresh within a period of one month from the date of communication of a copy of this order in accordance with law keeping in view the threat perception to the petitioner.

5. It is made clear that if another order is passed by the District Magistrate, Patna which is found to be perverse then heavy cost will be imposed upon the State authorities.

6. With the above observations and directions, this application is allowed.

(Sandeep Kumar, J)

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