

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.331 of 2024

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Jay Prakash Tiwari Son of Late Pashupati Nath Tiwari, resident of Village-
Bhadwar, P.S. Bagengola, District Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate, Buxar.
3. The District Arms Magistrate, Buxar.
4. The District Superintendent of Police, Buxar, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak
For the Respondent/s : Mr.Standing Counsel (22)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-02-2024 Heard the parties.

2. This application has been filed on behalf of the petitioner seeking a direction to the respondent authorities to grant the license of DBBL Gun to the petitioner which was already issued in favour of the petitioner's father who has now died and also the petitioner prays for setting aside the order dated 17.08.2023 passed by the respondent no.2 (District Magistrate, Buxar) by which the District Magistrate, Buxar has rejected the application of the petitioner for grant of arms license.

3. Learned counsel for the petitioner submits that the petitioner has applied for grant of arms license under the heir-



loom policy to the legal heirs of the original license holder but the same has been rejected by the District Magistrate, Buxar by his order dated 17.08.2023 by saying that there is no threat perception to the petitioner and the petitioner does not hold the arms training certificate.

4. Learned counsel for the petitioner further submits that the petitioner is ready to undergo arms training and he will produce a valid training certificate before the District Magistrate, Buxar. He further submits that so far as threat perception is concerned, it shall not be applicable to the case of the petitioner as he is claiming the arms license being the legal heir of the original license holder.

5. Learned counsel for the respondent has opposed the application of the petitioner and has supported the impugned order.

6. In view of the above submissions, this application is allowed and the order dated 17.08.2023 passed by the District Magistrate, Buxar is hereby quashed with a direction to the District Magistrate, Buxar to consider application of the petitioner afresh in accordance with law after the petitioner produces the arms training certificate before the District Magistrate, Buxar.



7. The District Magistrate, Buxar will consider the case of the petitioner and dispose of the same within two months from the date of receipt/communication of a copy of this order.

8. With the aforesaid directions, this application stands allowed.

(Sandeep Kumar, J)

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