

**In The Court of Commissioner, Saran Division, Chapra**

**Arms Appeal No. 31/2014**

**Vijay Kumar Yadav  
Vrs.  
The State of Bihar.**

**ORDER**

16-9-2015- The instant appeal petition is directed against the impugned order passed by D.M., Saran in file No. 36-32/2013 on 05.12.2013 whereby and whereunder the application filed by the appellants for grant of a N.P. Bore Rifle was rejected.

The brief facts of the case are that the appellant Vijay Kumar Yadav S/o Vidya Rai R/o Village- Sahawa, P.S.- Issuapur, Dist- Saran filed an application for granting of an arms licence for N.P. Bore Rifle before D.M., Saran in the year 2007. Thereafter, a police report was called for from S.P., Saran and the said report was made available after enquiry and verification vide letter No. 221 dated 16.01.2012. As no order could be passed by the D.M., Saran even on receipt of the said verification report, the appellant approached the Hon'ble High Court by way of filing CWJC No. 13827/2012 with a prayer for issuance of direction to the authority concerned for granting of Arms licence. This led to initiation of matter and notice was issued to the appellant and the learned D.M., Saran after hearing the matter, finally vide order dated 05.12.2013 refused to grant the said licence. Feeling aggrieved by the said rejection/refusal of licence, the appellant has preferred this appeal.

Heard the parties.

The learned counsel appearing on behalf of the appellant submitted that the learned D.M., Saran rejected the application of the appellant despite having favourable report of police authorities that there exists threat to the life and property of the appellant. He further argued that the learned D.M. ought to have considered that the appellant has clear antecedent and has serious apprehension of life and property from the antisocial element of the society but instead of considering all these facts his said application was rejected without any cogent reasons. The learned counsel also submitted that in the recent past an attack was also made by some persons on the appellant for which Issuapur P.S. Case No. 124/2014 dated 13.10.2014 was lodged by the appellant. He lastly prayed that the observations made by the learned D.M. is arbitrary and illegal hence the same is fit to be set aside.

The learned S.Pl. P.P. appearing on behalf of the D.M., Saran submitted that the application of the petitioner for grant of Arms licence in respect of a N.P., Bore Rifle has been rejected by the D.M. with a reasoned and speaking order as such the same be upheld.

Considering the facts and circumstances of the case, material available on records and on perusal of the impugned order, it is seen that the appellant's application for grant of an arms licence for N.P. Bore Rifle has been rejected by the D.M., Saran on some reasonable grounds and he also recorded reasons for his such findings. I do not find any apparent infirmity in the said order nor the appellant's counsel has pointed out any illegality in the said order. The only plea advanced by the learned counsel is about the threat perception prevailing on the life and property of the appellant but he failed to satisfy the licensing authority with sufficient evidence regarding such threat.

For the aforesaid reasons, the impugned order of D.M., Saran is upheld and this appeal being devoid of any merit is dismissed.

Dictated and Corrected by me.

*b/16-9-15*  
Commissioner,  
Saran Division, Chapra

*b/16-9-15*  
Commissioner,  
Saran Division, Chapra