

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21050 of 2013

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Harendra Chaubey Son Of Late Ram Bachan Choubey Resident Of Village - Bagahi, Police Station - Bhabua, At Presently Residing At Ward No.1, V.I.P. Colony, Bhabua, Post Office + Police Station - Bhabua, District - Kaimur

.... Petitioner

Versus

1. The State Of Bihar
2. The District Magistrate, Kaimur At Bhabhua
3. The Superintendent Of Police, Kaimur At Bhabhua

.... Respondents

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Pathak, Advocate

For the State : Mr. S.Raza Ahmad, AAG IX

Mr. Vishwambhar Prasad, AC to AAG IX

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 13-10-2015 Heard learned counsel for the petitioner and the State.

Petitioner claims that he had applied for granted of arms licence for N.P. bore rifle in the year 2005 itself but no decision has been taken at yet.

A counter affidavit has been filed on behalf of the respondent no. 2 appending therewith an order that the licence for revolver has been granted to the petitioner considering that there is recommendation by the police authority that his uncle was murdered earlier and the petitioner, who is an advocate, needs an arms licence.

However, learned counsel for the petitioner submits that this licence has been granted to the petitioner on his application

filed in the year 2014 for grant of N.P. bore revolver but his earlier application for grant of licence for N.P. bore rifle is still pending.

It appears from Annexure A that the order has been passed in Arms Case No. 07 of 2014-15 and no order has been passed on his earlier application filed in the year 2005 in Arms Case No. 72/2005 for grant of licence for N.P. bore rifle.

Accordingly, I dispose of this writ application directing the District Magistrate-cum-Licensing Authority, Kaimur at Bhabhua to take a final decision with respect to the aforesaid application of the petitioner on its own merit and in accordance with law within a period of three months from the date of receipt/production of a copy of this order and while doing so, he will keep in mind the provision of sub-section (2) of section 3 of the Arms Act, 1959 and also the fact that it has been admitted by the authorities that the petitioner needs arms licence.

(Dr. Ravi Ranjan, J)

SC/-

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