

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.11617 of 2013**

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Sunil Kumar Singh Son Of Late Chandeshwar Prasad Singh Resident Of West  
Lohampur Phatak Wali Gali, P.S. Kadamkuan, District - Patna

.... .... Petitioner

Versus

1. The State Of Bihar Through Home Secretary, Govt. Of Bihar
2. District Magistrate, Patna
3. District Arms Magistrate, Patna
4. Additional District Magistrate ( Arms ), Patna

.... .... Respondents

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**Appearance :**

For the Petitioner : M/s. Vishwanth Pandey, Pankaj Kumar Singh,  
Gajendra Kumar Singh, Advocates

For the State : Mrs. Neelam Prasad, A.C. to G.P. 25

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**

**ORAL JUDGMENT**

**Date: 21-09-2015**

Heard learned counsel for the petitioner and the State.

Petitioner claims that his father was having a licence for D.B.B.L. Gun and he was also possessing a gun. After his death, the petitioner applied for grant of licence vide Annexure 2 in the year 2010 as the gun was kept with the arms dealer which would apparent from Annexure 1 which is a receipt granted by the Capital Gun House dated 16.03.2010. It is submitted that no decision has been taken as yet by the licensing authority though about five years have elapsed since then. If what is being alleged by the petitioner is true then this shows that the respondents have proceeded in a casual manner and have not passed the order even after lapse of five years.

Accordingly, I direct the licensing authority to take a decision in the case of the petitioner within a period of three months from the date of receipt/production of a copy of this order, if the same has already not been taken. This is further made clear that while disposing of the matter, the licensing authority would also consider the Family Heirloom Policy as well as the decision of this Court rendered in **C.W.J.C. No. 18535 of 2011 (Manish Kumar Vrs. State of Bihar) and other analogous cases** holding that lack of any evidence regarding threat perception cannot form a ground for refusal of licence under Section 14 of the Arms Act, 1959.

This disposes of the writ petition.

**(Dr. Ravi Ranjan, J)**

Sanjay-II/-

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