

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11638 of 2013

Indu Kumari @ Smt. Indu Kumari Wife Of Dr. Arun Kumar Resident Of Village -
Tenduni (Kali Asthan, Dumraon Road) Police Station - Bikramganj, District -
Rohtas

.... Petitioner

Versus

1. The State Of Bihar Through The District Magistrate, Rohtas At Sasaram
2. The District Magistrate, Rohtas At Sasaram
3. The Superintendent Of Police, Rohtas At Sasaram
4. The Sub Divisional Magistrate, Bikramganj, District - Rohtas
5. The Officer - Incharge, Bikramganj, Police Station District - Rohtas

.... Respondents

Appearance :

For the Petitioner : Mr. Arun Kumar Singh, Advocate
For the State : Mr. Swapil Kumar Singh, A.C. to G.P. 1

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 21-09-2015

Heard learned counsel for the petitioner and the State.

Petitioner claims that though she has filed application
for grant of arms licence for D.B.B.L. gun in the year 2012, however,
decision is yet to be taken by the licensing authority.

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 three years.

Accordingly, I direct the licensing authority to take a
decision in the case of the petitioner within a period of two 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 be obliged to 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 from 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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