

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2084 of 2016

Bratendra Prasad Singh, son of Late Munindra Prasad Singh, resident of village Indupur, P.S.- Barahiya, District- Lakhisarai

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home (Special) Department, Government of Bihar, Patna
2. The Principal Secretary, Home (Special) Department, Government of Bihar, Patna
3. The District Magistrate cum Licensing Authority, Lakhisarai
4. The District Arms Magistrate, Lakhisarai
5. The Superintendent of Police, Lakhisarai
6. The Station House Officer, Barahiya Police Station, Dist.- Lakhisarai

.... Respondents

Appearance :

For the Petitioner : Mr. V. R. P. Singh, Advocate

For the State : Mr. Rakesh Ranjan, J.C. to G.P. 22

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 01-08-2016

Heard parties.

Admittedly, the petitioner has applied for grant of firearm licence in the year 1992 and, thereafter, he did not even bother as to what had happened to his request. Suddenly, in the year 2014, he filed an application under Right to Information Act and came to know that his licence was granted in the year 2000 itself but it was not issued on the ground of his involvement in certain criminal matters. It is intriguing as to why the petitioner slept for about 22 years after applying for licence. However, he admits that he was involved in cases of serious nature but it is contended that he has been acquitted in

the year 2002 and in the year 2009.

Be that as it may, in view of the fact that there is deliberate delay and laches on the part of the petitioner and the fact that at the point of time when the decision was rightly or wrongly taken by the authority, petitioner was involved in two cases of serious nature, in my view, no decision can be taken by this Court interfering in the aforesaid orders.

However, since the petitioner claims that he was honorably acquitted of the charges and those criminal cases were the only factors due to which the petitioner was not issued licence, liberty is granted to the petitioner, if he so desires, to make a fresh application for grant of firearm licence setting out his claim appending therewith the judgments of the acquittal passed in the concerned cases. On such application having been filed, let the licensing authority take a decision on its own merit and in accordance with law within a period of four months from the date of filing of such application.

This disposes of the writ petition.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.09.2016
Transmission Date	NA