

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13557 of 2014

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Manish Kumar Tomar, son of Late Bimla Nand Singh, Resident of village -
Panchrukhi, P.O. Itwa, P.S. Dharhara, District - Munger

.... Petitioner

Versus

1. The State of Bihar
2. The Divisional Commissioner, Munger Division, Munger
3. The District Arms Magistrate, Munger
4. The Superintendent of Police, Munger
5. The Sub - Divisional Officer, Munger Sadar, District - Munger
6. The Deputy Superintendent of Police, Munger Sadar, District - Munger
7. The Station Head Officer, Dharhara Police Station, District - Munger

.... Respondents

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Pravin Kr. Verma, A.C. to S.C. 26

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and the State.

If the allegation of the petitioner is true then this is very unfortunate that despite having applied in prescribed formant for grant of firearms licence in the year 2011, no final decision could be taken by the authority till date.

It is submitted that petitioner's father was practicing advocate of Munger Civil Court and he was the holder of D.B.B.L. gun under a valid licence. Petitioner claims that his area is extremist affected and his father, while coming from the civil court, Munger after discharging his duties as a counsel in the court, was killed by the miscreants. Thereafter, the petitioner

deposited the firearm in the custody of the respondents and applied for grant of licence so that firearm could be possessed by him. However, till date no decision has been taken.

Having regards to the facts and circumstances of the case, this writ application is being disposed of with a direction to the District Magistrate – cum - licensing authority, Munger to take a final decision in the matter on its own merit and in accordance with law 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 done. While doing that, he would be obliged to consider the Family Heirloom Policy of the Central Government.

(Dr. Ravi Ranjan, J)

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