

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3254 of 2017

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Md. Afaque Alam, S/o Dr. Abdul Rahman, Resident of Mohalla- Haji Subhan,
Ward No.20, P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Department of Home, Government of Bihar, Patna.
2. Secretary, Department of Home, Government of Bihar, Patna.
3. District Magistrate/Collector, Munger.
4. Superintendent of Police, Munger.
5. Sub-Divisional Magistrate, Sadar, Munger.
6. Inspector of Police, Kotwali Police Station, Munger.
7. Circle Officer, Sadar Anchal, Munger.
8. Station House Officer (S.H.O.), Porab Sarai TOP, Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Respondent/s : Mr. PRABHAT KR. VERMA-AAG3

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-11-2017 Heard Mr. Pramod Kumar Singh, learned Counsel

 appearing on behalf of the petitioner and Mr. Divya Verma,

 learned AC to AAG-3, appearing on behalf of respondent-State.

 The present Writ application has been filed for issuance of

 direction to respondent no.3, the District Magistrate, Munger,

 i.e. the licensing authority to grant licence of N.P. Bore Pistol to

 the petitioner.

 It is submitted by learned Counsel for the petitioner

 that the petitioner being a medical practitioner by profession is a

 man of high repute and is resident of Munger district. The

 petitioner applied for issuance of licence for N.P. Bore pistol

 before the licensing authority, i.e., respondent no.3, the District



Magistrate, Munger, in prescribed form with requisite fee on 03.02.2015. The photocopy of application form is annexed as Annexure-1. On receipt of the application, the licensing authority called for a report from the local police and subsequently, respondent no.8, the Station House Officer, Porab Sarai TOP, Munger, vide Letter No. 200/2015, dated 21.02.2015, recommended the case of the petitioner for grant of Arms licence. The same has been brought on record as Annexure-2. Thereupon, the Sub-Divisional Police Officer, Munger, inquired into the needs of the petitioner and vide Letter No. 718, dated 24.02.2015, he recommended the case of the petitioner for grant of Arms licence. Thereafter, respondent no.4, the Superintendent of Police, Munger, vide Letter No. 366, dated 25.03.2015 also recommended the case of the petitioner for grant of Arms licence, as contained in Annexure-3. The Director General of Police, Bihar, issued a letter of administration in favour of the petitioner with regard to his efforts and sincerity on 27.04.2015, as contained in Annexure-4. The licensing authority vide Letter No. 3598, dated 29.07.2015, called the petitioner to be physically present on 03.08.2015 to answer certain queries. In pursuance to the same, the petitioner appeared before the



licensing authority on the date fixed to meet the queries and supply the relevant documents. But since 03.08.2015, in spite of several efforts made by the petitioner, till date the licence has not been issued to him. Hence, the present Writ application.

Though, learned AC to AAG-3 prays for some time to file counter affidavit, but in view of the nature of order this Court intends to pass, this Court is not inclined to adjourn the matter any further.

Considering the rival submissions of the parties, this Court is dismayed to find that the application of the petitioner for consideration of issuance of arms licence is pending since last two years. It is high time that respondent no.3, the District Magistrate, Munger, should dispose of the application of the petitioner in view of the provisions of the Arms Act, 1959, preferably within a period of eight weeks from the date of receipt/production of a copy of this order.

The Writ application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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