

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3889 of 2017

Shyam Sundar Singh, Late Ram Singasan Singh, Resident of Village-hathder,
P.O. Sona-Gopalpur, P.S. Gourichak, District-Patna., At present Resident of
Badi Patan Devi, near Ramna School, House of Rajendra Pd., P.S. Alamgan,
District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Patna
3. The Divisional Arms Magistrate, Patna.
4. The Sub-Divisional Officer, Patna Sadar, Patna.
5. The Senior Superintendent of Police, Patna. District-Patna.
6. The Dy. S.P. Patna Sadar, Distt.-Patna.
7. The Officer-Incharge (S.H.O.) P.S. Gourichak, District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Atul Kumar Pandey
For the Respondent/s : Mrs. Kavita Kumari, AC to SC1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-09-2017 This matter has been taken out of turn with consent of the parties.

Heard learned counsels for the parties.

The present writ application has been filed for a direction to the respondent no.2, the District Magistrate, Patna to consider the application of the petitioner and to grant Arms licence for pistol/revolver, which is pending before him since 2013.

It is submitted by learned counsel for the petitioner that the petitioner submitted an application for consideration of grant of Arms licence for pistol/revolver in November, 2013, alongwith all relevant documents. The application of the petitioner was forwarded



by the respondent no.6, the Deputy Superintendent of Police, Patna as far back on 9.10.2014 to the respondent no.5, the Senior Superintendent of Police, Patna. Subsequently, the petitioner received a letter vide Memo No. 5429, dated 25.6.2015 under the signature of respondent no.5, the Senior Superintendent of Police, Patna, as contained in Annexure 3, to the effect that the petitioner's application has been forwarded to the respondent no.2, the District Magistrate, Patna, but in fact the application of the petitioner was kept pending. The petitioner filed a representation in this regard before the respondent no.2, the District Magistrate, Patna on 24.10.2016, thereafter, respondent no. 3, the Divisional Arms Magistrate, Patna vide letter no. 3364 dated 3.11.2016 intimated respondent no.5, the Senior Superintendent of Police, Patna to submit a fresh police verification report, as the earlier verification report was old. Hence, a fresh police verification report was submitted vide letter no.2 dated 9.1.2017. On 20.1.2017, the Sub Divisional Officer, Patna called for a verification report from the Circle Officer, as contained in Annexure 6.

It is submitted by learned counsel for the petitioner that on one pretext or the other, respondent no. 2, the District Magistrate, Patna is not considering the prayer of the petitioner. The petitioner requires Arms licence, as his father was killed on 17.4.1987, concerning which Phulwarisharif P.S. Case No. 121 of 1987 was registered under Section 302 of the IPC and since then, the petitioner is also



perceiving threat to his life. The petitioner also filed Complaint Case No.557 of 2015, when few persons came to his residence and attempted to assault him.

Though the writ application was filed on 10.3.2017, but till date no counter affidavit has been filed. Hence, this Court is not inclined to adjourn the matter any further. AC to SC 1 submits that at present, she is not having any instruction whether the application of the petitioner has been finally processed or not.

Having heard learned counsels for the parties, this Court is of the view that it is high time that the respondent no.2, the District Magistrate, Patna should dispose of the application of the petitioner, submitted for grant of Arms licence, particularly, in view of Annexure 3, within a period of eight weeks from the date of receipt/production of a copy of this order, since it is pending since 2013.

With above observations and directions, this writ application is disposed of.

(Dinesh Kumar Singh, J)

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