

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9258 of 2022

Shahid Iqbal son of Late Sajjad Hussain Ansari, resident of Mohalla-Agarwa Gali No. 1, House No. 110C, P.O.-Motihari, P.S.-Motihari Town, District-East Champaran, at presently residing at House No. 40, 2nd Floor, Ex. Servicemen Layout, R.K. Hedge Nagar, P.O.-Sri Kamal Layout, P.S.-Shempegahali, District-Bangalore in Karnataka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Motihari at East Champaran.
4. The Superintendent of Police, Motihari at East Champaran.
5. The Arms Magistrate, Motihari at East Champaran.
6. The Sub-Divisional Officer, Motihari Sadar.
7. The Deputy Superintendent of Police, Motihari
8. The Station House Officer P.S. Motihari Town.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate
For the Respondent/s : Mr.Md. N.H. Khan (Standing Counsel-1)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-08-2022 The limited prayer made in the present writ petition is to direct the District Magistrate, East Chamaparan at Motihari to accept the request of the petitioner to deposit the arms in possession of the petitioner, kept in the arms shop in question as also grant permission to the petitioner to close the said arms shop permanently. In this connection, the learned counsel for the petitioner has referred to a letter of the Arms Magistrate, West Champaran at Motihari dated 13.05.2022 written to the petitioner wherein though the Arms Magistrate has accepted the request of the petitioner to close the shop in question but has asked the petitioner to inform him as to in which shop/establishment, the petitioner wants to deposit the arms in



his possession. It is further submitted that in reply the petitioner has written a letter to the District Arms Magistrate, East Champaran at Motihari dated 19.05.2022 wherein he has disclosed therein that the arms dealers are not ready to keep the arms in question, hence the District Arms Magistrate may himself pass appropriate orders pertaining to deposit of the arms in appropriate shop/establishment.

Having regard to the aforesaid dispute in question, this Court finds that it would be appropriate to relegate the matter to the District Arms Magistrate, East Champaran at Motihari who is directed to take appropriate action for closure of the shop in question and make appropriate arrangement for deposit of the arms in question, by passing appropriate orders, in accordance with law, within a period of 12 weeks of receipt/production of a copy of this order.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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