

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7169 of 2023

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Prem Chand Gupta Son of Lakhi Chand Gupta, Resident of Village-Jhing
Nagar, Bichli Gali, P.O. and P.S.-Biharsharif, District-Nalanda, PIN-803101.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Bihar, Patna.
2. The Director General of Police Bihar, Patna.
3. The Divisional Commissioner, Patna Division, Patna.
4. The District Magistrate, Nalanda, Biharsharif.
5. The District Arms Magistrate, Nalanda, Biharsharif.
6. The Superintendent of Police, Nalanda, Biharsharif.
7. The Dy. S.P. of Police, Nalanda, Biharsharif.
8. The S.H.O. of Biharsharif Police Station, Biharsharif, District-Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prakash Chandra Jha
For the State	:	Mr.Manish Kumar (Gp4)
		Ms. Sanjay Parasmani, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-11-2023 1. The present writ petition has been filed
seeking the following reliefs:-

*“i) To issuance a writ in the nature of
Certiorari to quash the order vide memo
No.757 (B) dated 03.08.2012 by which
learned District Arms Magistrate, Nalanda has
rejected the application seeking Arms Licence
of petitioner.*

*(ii) To issue a writ in the nature of mandamus
directing the respondents to re-consider the
matter of granting Arms licence in terms of*



application dated 09.11.2022 submitted before the District Arms Magistrate, Nalanda, Bihar Sharif by the petitioner.

(iii) To issue an appropriate writ directing the respondents to act upon and pass the appropriate order in accordance with law in terms of provision U/S 13 (Chapter-III) of Arms Act 1959 as also in terms of law laid down by this Hon'ble Court in various leading cases.

(iv) To grant Arms licence to the petitioner who is possessing all required criteria in accordance with law."

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file fresh application in consonance with the new Arms Rules, 2016, for grant of arms licence, however, seeks a direction upon the District Arms Magistrate/District Magistrate, Bihar Sharif at Nalanda to consider the same expeditiously. It is directed, accordingly.

3. It is needless to state that in case appropriate application is filed by the petitioner for grant of arms licence, after complying with the provisions contained in the new Arms Rules, 2016,



within a period of four weeks from today, the District Arms Magistrate/District Magistrate, Nalanda shall consider the same and pass a reasoned and a speaking order, in accordance with law, within a period of 12 weeks, thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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