

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1361 of 2024

Nurul Hoda Khan Son of Shamshul Hoda Khan Resident of Mohalla-
Imadpur, Police Station-Rafiganj, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department,
Government of Bihar, Patna.
2. The District Magistrate, Aurangabad.
3. The Superintendent of Police, Aurangabad.
4. The Sub-Divisional Officer, Aurangabad.
5. The Sub-Divisional Police Officer, Aurangabad.
6. The Station House Officer, Rafiganj, District-Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Najeeb Ahmad, Advocate
For the State	:	Mr. Sitaram Yadav, GP-16 Mr. Yatindra Narayan, AC to GP-16

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-03-2024 Heard the parties.

2. The petitioner has moved the Court for the
following reliefs:

“(i) For issuance of appropriate writ/writs, in the nature of writ of mandamus, directing the respondents particularly respondent no. 2 to issue Arms License of N.P. Bore Revolver/Pistol to the petitioner which has been pending before the said Respondent since January, 2018.

(ii) For issuance of any other relief/reliefs to which the petitioner may be entitled to in the facts and circumstances of the case.”

3. This application for grant of arms license to the



petitioner has been rejected by the Collector, Aurangabad by the impugned order dated 01.01.2024.

4. In para-3 of the impugned order, the Collector has held that there is no ground for consideration of arms license to the petitioner and in para-2 also the Collector has said that the application of the petitioner was only forwarded.

5. Learned counsel for the petitioner has taken this Court to the recommendation by the Police Officer of Rafiganj Police Station, reading of which it will appear that the petitioner is a resident of a naxal affected area and he travels to Aurangabad Court daily from village Imadpur, Rafiganj. It has also come in the report that the petitioner has been instrumental in getting many naxals convicted and the own uncle of the petitioner was killed by naxals. It appears that the impugned order dated 01.01.2024 by which the application for grant of arms license to the petitioner has been rejected by the Collector, Aurangabad is no order in the eye of law as he has not considered the police report properly. This kind of order cannot be sustained by this Court.

6. In view of the above, this application is allowed.

7. The order dated 01.01.2024 passed by the Collector, Aurangabad is hereby quashed with a direction to the



District Magistrate, Aurangabad to pass a fresh order in accordance with law after considering the report dated 28.01.2018 in its entirety and after hearing the petitioner. The consideration must be done within one month from the date of receipt/communication of a copy of this order. The petitioner will also produce the training certificate during hearing before the Collector.

(Sandeep Kumar, J)

P. Kumar

U			
---	--	--	--

