

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4651 of 2024

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Anuj Kumar Son of Sri Anil Kumar Resident of Gali No. 04, Mumtaz Gali,
Dhirajchaka, P.O.- Anisabad, P.S.- Gardhani Bagh, District- Patna- 800002.

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Government of Bihar.
2. The Divisional Commissioner, Patna Division, Patna.
3. The District Magistrate, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Additional District Magistrate, (Arms), Patna.
6. The District Arms Magistrate, Patna.
7. The Sub-Divisional Officer, Sadar, Patna.
8. The S.H.O., Gardhani Bagh Police Station, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manisha Pandey
For the Respondent/s : Mr.Addl. Advocate General 13

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-03-2024 This is an application for setting aside the order contained in Memo No. 3785/Arms dated 04.11.2023 passed in Arms Case No. IX-258/2022 of the District Magistrate, Patna by which the petitioner's application for grant of license has been rejected.

2. It has been submitted by the learned counsel for the petitioner that while passing the impugned order, the District Magistrate, Patna has not considered the facts of the case and the situation prevailing in the society.

3. He has also argued that almost everyday, some



shopkeepers dealing in ornaments is being attacked and their shops are looted in the State. He has annexed a number of news paper reports which shows that jewellery shops, banks etc., are on the target of the criminals and are being regularly looted.

4. The Police has not made a recommendation but the police has submitted a report that the petitioner is a jeweller and he is doing his business. Any jeweller doing his business in the State is target of criminals. Everyday jewellery shops are being looted. Nothing more is required for grant of arms license to a person who is doing his business in ornaments and is running a jewellery shop.

5. In my opinion, the District Magistrate has not considered these situations and has simply rejected the application for grant of arms license.

6. In view of the discussions above, the impugned order contained in Memo No. 3785/Arms dated 04.11.2023 passed in Arms Case No. IX-258/2022 of the District Magistrate, Patna is hereby quashed.

7. The matter is remitted back to the District Magistrate, Patna. The District Magistrate may be furnished by the petitioner the number of cases in which the jewellery shops have been looted in the town of Patna which may be a factor for



grant of arms license.

8. The application of the petitioner shall be considered afresh in accordance with law by 31st of July, 2024, in view of the discussions made above and in light of the judgment of this Court in the case of *Vijay Kumar Singh V/s The State of Bihar & Ors* passed in C.W.J.C. No. 10784 of 2021.

9. This application stands allowed.

(Sandeep Kumar, J)

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