

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17327 of 2023

Md. Imam Azam Son of Late Md. Mansoor, Resident of Daniyalpur, Ward no. 22, Anchal Teghra, P.S. Teghra, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Divisional Commissioner, Munger.
3. The District Magistrate, Begusarai.
4. The District Arms Magistrate, Begusarai.
5. The Superintendent of Police, Begusarai.
6. The Sub Divisional Magistrate, Teghra, District Begusarai.
7. The Sub Divisional Police Officer, Teghra, District - Begusarai.
8. The Circle Inspector of Police, Teghra Anchal, District - Begusarai.
9. The Station House Officer (SHO) Teghra P.S. District - Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md. Ataul Haque
For the Respondent/s	:	Mr.Standing Counsel 24

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 25-01-2024 Heard the parties.

2. By the order dated 21.08.2023, passed by the District Magistrate, Begusarai in Arms Licence Case No. 09 of 2023, the application of the petitioner for grant of arms licence has been rejected.

3. The application was made by the petitioner on account of the fact that the petitioner is interested in shooting and he wants a licence for purchase of .22 (NPB) rifle for his regular practice in the shooting range/shooting club.



4. The District Magistrate, Begusarai has quoted Section 3(b) of the Arms Rule and some rules and has rejected the application of the petitioner.

5. The learned counsel for the State has supported the order dated 21.08.2023 and submits that the petitioner cannot be granted arms licence for his practice as it has been found that the arms are available in shooting club for practice.

6. I have considered the submissions of the parties.

7. Rule 13(3)(b) reads as follows:-

“The licensing authority shall grant- a licence under Section 3 in any other case or a license under Section 4, section 5, section 6, section 10 or section 12, if the licensing authority is satisfied that the persons by whom the license is required has a good reason for obtaining the same.”

8. From reading Rule 13(3)(b) and particularly, the last part of the Rule i.e. *“the license is required has a good reason for obtaining the same.”* I am of the view that the petitioner has made out a case for grant of licence as he is a member of shooting club/range and he wants to practice from his own weapon.

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

10. The order dated 21.08.2023 passed by the District Magistrate, Begusarai in Arms License Case No. 09 of 2023 is hereby quashed.



11. The matter is remitted back to the District Magistrate, Begusarai to pass a fresh order in accordance with law in view of the observation of this Court in the present order.

12. The order must be passed by the Collector, Begusarai within one month of the date of communication of this order.

13. Let a copy of the order be communicated to the District Magistrate, Begusarai through FAX/e-mail forthwith for compliance of the order.

(Sandeep Kumar, J)

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