

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3093 of 2024

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Ravikant, Son of Late Ramswaroop Singh, Resident of Village- Salimpur
Ahra, Gali No. 2, Kadamkuan, P.S.- Gandhi Maidan, District- Patna- 800003.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate cum Licensing Authority, Patna.
3. The Senior Superintendent of Police, Patna.
4. The Station House Officer, Gandhi Maidan Police Station, Patna.
5. The Patna Commissioner, Patna Division, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manisha Pandey, Advocate.
For the Respondent/s : Mr. Government Pleader (11)

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

4 20-11-2025

Re. I.A. No. 01 of 2025

For the reasons mentioned in the Interlocutory
Application No. 01 of 2025, the same is allowed.

2. Registry is directed to make necessary
amendments in the prayer accordingly.

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3. Heard learned counsel for the parties.

4. The present Writ Petition has been filed for the
following reliefs:-

*“(i) For issuance of
appropriate writ/orders/direction to
respondents to dispose of the application
for grant of arms license for NP Bore*



Revolver and Rifle submitted by the petitioner to the Licensing Authority i.e. Respondent No. 2 herein in December, 2021, only rifle application has been considered and granted a NP bore license and N.P. Bore Revolver/Pistol has been kept pending whereas both applications was to be considered in light of the police reports which was duly examined and found threat perception to the life and property of the petitioner, in expeditious and time bound manner as the same has been kept pending till date without passing any order thereupon in complete violation of the order dated 23.03.2023 as well as the Arms Act, 1959 and concerned the Arms Rules, 2016.

(ii) For issuance of appropriate writ/orders/direction to the Respondents to act upon the representation dated 17.07.2023 and RTI Application dated 21.10.2023 filed by the petitioner before the District Magistrate-cum-Licensing Authority, Patna i.e. the Respondent No. 2 herein are still unanswered till date without passing any order on the application for grant of N.P. bore revolver/pistol whereas the police report after due verification through Sr. S.P. Patna has already been received in office of DM Patna and allotted docket No. 52083, 5284 dated 28.12.2021.

(iii) For issuance of appropriate writ/direction to respondents act upon the orders dated 13.04.2023 passed in CWJC No. 16507 of 2022 under which an specific direction to dispose of this arms application as made prayer in the writ (CWJC No. 16507 of 2022) for grant of N.P. Bore Revolver/Pistol and N.P. Bore Rifle license with may deem fit and proper including the cost.

(iv) For quashing of the order



dated 06.01.2025 contained in Memo No. 133/Arms, Patna issued by the District Magistrate, Patna whereby the petitioner's application for an N.P. Bore Revolver/Pistol license has been arbitrarily rejected, despite the matter being subjudice."

5. It is the case of the petitioner that the petitioner has applied for arms license for N.P. Bore Rifle and also for Revolver/Pistol, however the authority without taking into account the report of the SDO, Patna Sadar and Assistant S.P., Town Patna vide report DR No. 2550/21 dated 06.12.2021 has only granted the license of N.P. Bore Rifle. Thereafter, the petitioner has filed the present petition and this Hon'ble Court vide order dated 02.12.2024 has directed the District Magistrate, Patna to file a supplementary counter-affidavit. Pursuant to the said order, a supplementary counter-affidavit has been filed. In the said supplementary counter-affidavit, the respondents has stated that the petitioner has been granted Arms License No. 84/2023 for N.P. Bore Rifle and it is further stated that the petitioner does not seem to have any special reason or requirement for granting of license for N. P. Bore Revolver/Pistol. Further it is stated that the granting of license of N.P. Bore Revolver/Pistol would amount to accumulation of arms which is not conducive to the peace and security of the society. Further, flaunting of the arms in the name of security



shall not be permitted in the civil society like ours. Further, pending the present writ petition, the authority seems to have passed an impugned order dated 06.01.2025 rejecting the application for grant of the N.P. Bore Revolver/Pistol.

6. The above reasoning given by the authority is without any legal basis and contrary to the report sent by the SDO, Patna Sadar and Assistant SP Town, Patna vide DR No. 2550/21 dated 06.12.2021. The authority instead of rectifying its mistakes is trying to gloss over his mistakes by giving lame excuses. Once a person has been granted a license for holding an N.P. Bore Rifle and his requirement for N.P. Bore Revolver/Pistol cannot be rejected on mere whims and fancies of the officer based purely on his personal opinion. The authority is supposed to act in accordance with law and the provisions of the Arms Act. It is not understandable as to how the person who is facing a life threat can be said to be flaunting of arms in the name of security, when no such instances have being recorded against the petitioner. Further, mere possessing of two arms would not be termed as accumulation of arms. This court has no hesitation to set aside the impugned order dated 06.01.2025. The matter is remitted back to the authority concerned for passing orders afresh on the application of the



petitioner for N.P. Bore Revolver/Pistol. The authority before passing any orders shall duly take into consideration the report of the SDO Patna Sadar and Assistant S.P., Town Panta/ the Officer In-charge Gandhi Maidan, Police Station (DR No. 2550/21 dated 06.12.2021) and pass necessary orders. The authority before passing any order shall put the petitioner on notice and give him an opportunity of hearing. It is expected that the authority shall take a pragmatic view of the matter and pass necessary orders.

7. With the above directions, the present Writ Petition stands disposed of.

(A. Abhishek Reddy, J)

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