

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2173 of 2019

In
Civil Writ Jurisdiction Case No.17581 of 2018

Rajkeshwar Singh S/o Late Ram Sanehi Singh Resident of Village-
Chandrabhanpur, Post Office-Panapur, Police Station- Kargahar, District-
Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Mr. Amir Subhani The Principal Secretary,
Department of Home, Bihar, Patna
2. Mr. Robert L. Chongthu The Commissioner, Patna Division, Patna
3. Mr. Pankaj Dixit District Magistrate, Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishal Saurabh, Advocate
For the Opposite Party/s	:	Mr. Prabhat Kumar Verma (Aag3)
		Mr. Saroj Kumar Sharma, AC to AAG-3

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

4 17-04-2025 This contempt application has been filed alleging violation of the order dated 11.09.2018 passed in CWJC No. 17581 of 2018 wherein this Court had directed the District Magistrate, Rohtas at Sasaram to take a final decision on he application of the petitioner by a reasoned and speaking order in writing keeping in view the parameters for grant of licence to legal heirs/nominee of the licensee under Rule 25 of the Arms Rules, 2016 within a period of six weeks from the date of receipt/production of a copy of the order.

2. Opposite party No. 3/ District Magistrate has filed a show-cause wherein, in paragraph-4 thereof it has been stated as

under:

“...4. That is is humbly submitted that it is stated in the context that earlier the application filed by the petitioner for grant of licence of D.B.B.L Gun was rejected by the order dated 21.09.2012 passed in Arms Case No. 89/2012 and against that order dated 21.09.2012 the petitioner had filed Arms Appeal vide No. 580/12 which was disposed of remanding the case for passing an order afresh after giving opportunity to the petitioner to be heard. The petitioner had also earlier filed CWJC No. 17581/18 which too was disposed of in terms of the order as mentioned in para 1 of this statement of fact.

In this context, the petitioner was directed to produce the required paper/document as per Arms Rule 2016 but the petitioner did not produce the certificate of having obtained training to operate fire Arms. By Memo No. 315 dated 14.02.2019 the petitioner was directed to be personally present before this O.P on 18.02.2019 at 10:30 A. M. and the petitioner also appeared and was heard.

During his interview, the petitioner also admitted that once when three persons were murdered in this village, he had opened two shots from the Gun of his father from roof of his house. Aforesaid act of the petitioner is blatant violation of Arms Act. Thus, such type of violation in future at the hands of the petitioner cannot be denied.

So, keeping in view the recent Arms Policy of Govt. of India, Department of Home which runs as “proliferation of arms and ammunition in the country disrupts the social order and development. The

proliferation of arms, whether licensed or illegal vitiates the 'Law and Order' situation. Holding of sophisticated arms by the conflicting parties directly contributes towards lethality of violent acts. Therefore, in principal, proliferation of arms needs to be curbed", and the provisions as contained U/s 14 of Arms Act 1959 the application of the petitioner was rejected by the order dated 25.02.2019 passed in Arms Case No. 89/12/2019..."

3. On perusal of the show-cause filed by the opposite party No. 3, I find that the order dated 11.09.2018 passed in CWJC No. 17581 of 2018 has been complied with by the opposite parties.

4. Accordingly, this contempt application stands closed and disposed off.

(Nani Tagia, J)

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