

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3094 of 2019

In
Civil Writ Jurisdiction Case No.19966 of 2016

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Jitendra Kumar S/o Ramanand Sharma, Resident of Village Uttimpur, PS
Hulasganj, Dist. Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Special)
Department, Govt. of Bihar, Old Secretariat, Patna Namely Amir Subhani
(Male), Son of not known to the petitioner.
2. Amir Subani (Male) Son of not known to the petitioner, Principal
Secretary, Home (Special) Department, Govt. of Bihar, Old Secretariat,
Patna
3. Naveen Kumar (Male) son of not known to the petitioner, the District
Magistrate, Jehanabad.
4. Shree Manish (Male), Son of not known to the petitioner, the Superintendent
of Police, Jehanabad.
5. Manoj Kumar (Male), Son of not known to the petitioner, the Senior
Superintendent of Police, Muzaffarpur
6. Shatendu Sharat (Male), Son of not known to the petitioner, the Officer-in-
Charge, Town Police Station, Muzaffarpur
7. Sujeet Kumar (Male), son of not known to the petitioner, the Officer-in-
Charge, Hulasganj Police Station, Dist. Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

2 10-04-2025 Heard learned counsel for the parties.

2. This contempt petition has been filed alleging
violation of the order dated 07.12.2015 passed in C.W.J.C.
No. 18592 of 2015, wherein, this Court had passed the
following direction:

“As a result, this application



succeeds. The order impugned is quashed and set aside. However, the matter is remitted back to the licensing authority for taking a fresh decision in accordance with law within a period of eight weeks from the date of receipt/production of a copy of this order”

3. Opposite parties have filed a show cause, wherein, in paragraph nos. 6, 7 & 8, it has been stated as under:

“6. That in view of the order dated 15.05.2019, passed by this Hon’ble Court in C.W.J.C. No. 19666 of 2016 the petitioner on 03.06.2019 submitted his application before the District magistrate, Jehanabad along with the copy of order dated 15.05.2019. Thereafter, vide letter no. XV-06/15-346 dated 03.07.2019 issued from the District Arms Section, Jehanabad the petitioner has been asked to submit his application for arms license in prescribed format along with necessary document under the provisions of Arms Rules, 2016.

7. That the writ petitioner has not submitted application for arms license in prescribed format along with the required document in compliance with the letter dated 03.07.2019. The District Magistrate, Jehanabad again vide letter no. XV-06/15-395 dated 18.09.2019 asked the petitioner to ensure submission of application in prescribed form, in light



of the order passed in C.W.J.C. No. 19666 of 2016. However, till date the petitioner has not responded the aforesaid letters of the District Magistrate-cum-Licensing Authority, Jehanabad.

8. That it is submitted here that due to non-cooperation on the part of the petitioner the matter regarding grant of license for arms to the petitioner has not been finalized. It is further submitted here that no sooner the petitioner submits application for Arms License in prescribed format along with the required documents/papers, the same would be processed and necessary order would be passed at the earliest possible time, in compliance of the order/direction contained in the order dated 15.05.2019 passed by this Hon'ble Court."

4. On perusal of paragraph nos. 6, 7 & 8 of the show cause filed by opposite parties, it appears that there was a change in the application format for grant of arms license and accordingly, the petitioner was asked to submit a fresh application in the prescribed format, which, the petitioner did not comply, as a result of which, fresh decision for grant of arms license to the petitioner could not be taken, as directed by this Court in the writ petition.



5. In the aforesaid circumstances, I find that there has been no willful and deliberate violation of the order passed in writ petition by the respondents.

6. Accordingly, the contempt petition stands closed and disposed off.

(Nani Tagia, J)

Nilmani/-

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