

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1598 of 2025

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Amrit Raj Ranjan @ Amrit Ranjan son of Mritunjay Prasad Singh, resident of
village P.S. Gogari, District - Khagaria Fulwaria

... .. 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, Khagaria
4. The Superintendent of Police, Khagaria
5. The Sub-divisional Officer, Gogari, District - Khagaria
6. The Circle Officer, Gogari, District - Khagaria
7. The Officer-in-Charge, Gogari Police Station, District - Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.
For the State : Mr. Standing Counsel (15)

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CORAM: HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

2 06-07-2026 Heard Mr. Ranjit Singh, learned Advocate for the

petitioner and learned standing counsel no. 15 for respondent

State.

2. The petitioner in present writ application has

prayed for the following relief/reliefs -

*(i) For issuance of any appropriate writ or writs, rule or
direction especially in the nature of certiorari, quashing the order dated
16.09.2023 passed by the learned District Magistrate, Khagaria, passed
in District - Khagaria, Arms Record No. 31/2023 whereby and where
under application filed before the District Magistrate, Khagaria for
issuance of Arms License has been rejected only on the ground that
petitioner has no any threat perception.*

*(ii) For issuance of any appropriate writ of writs, rule or
direction especially in the nature of certiorari quashing the order dated
31.07.2024 passed by the learned Divisional Commissioner, Munger
passed in Arms Appeal No. 156/2023 whereby and where under Appeal
filed against the order dated 19.09.2023 passed in Arms Record No.*



31/2023 passed by the learned District Magistrate, Khagaria has been rejected only on the ground that petitioner has no any threat perception and order of the District Magistrate, Khagaria has been affirmed.

(iii) For issuance of any appropriate writ or writs, rule or direction especially in the nature of mandamus commanding and directing the respondent no. 3 District Magistrate, Khagaria to issue Arms License to the petitioner as he is sole entitled to get arms license for safety of his life and property.

(iv) For issuance of any appropriate writ or writs, rule or direction as this Hon'ble court may found fit and proper to the facts and circumstances of the case as well as for which the petitioner may be found entitled there too.

3. The sole point for the consideration by this Court is that whether the impugned orders dated 19.09.2023/31.07.2024 are in accordance with the provisions of the Arms Act, 1959 or not?

4. The petitioner has earlier moved before this Hon'ble Court in CWJC no. 4403 of 2021. The Hon'ble Court, vide order dated 29.09.2022 has directed the District Magistrate, Khagaria to dispose of the pending application for grant of Arms license within a period of 12 weeks from production/receipt of a copy of this order. The learned District Magistrate, Khagaria in compliance of order dated 29.09.2022 has passed detailed order on 19.09.2022 and has rejected the application filed by the petitioner.

5. Aggrieved by the order dated 19.09.2023 passed by the District Magistrate, Khagaria, the petitioner has preferred an appeal before the learned Court of Divisional Commissioner, Munger being Arms Appeal No. 156 of 2023. The learned appellate Court vide order dated 31.07.2024, after hearing the



parties, has taken into consideration the provision of Section 13(3)(b), Section 14(1)(b)II and Rule 12(3)(a) and has taken into account the fact that there is no threat perception to the petitioner so as to grant him a license. Aggrieved by the order passed by the learned appellate authority, the petitioner has preferred the present writ application.

6. The writ application is contested by the State Government. This Court finds that the petitioner fails to adduce any reasonable cause for grant of Arms license and there is no infirmity in the order passed by the District Magistrate, Khagaria as well as by the learned Court of Divisional Commissioner, Munger.

7. At this juncture, a submission was advanced by the learned counsel for the petitioner to the extent that before the District Magistrate that a suggestion was made to him that he may make an application for transfer of Arms license, issued in favour of father of petitioner who has crossed the age of 65 years but has refused. At present, he is willing and ready to make an application before the District Magistrate, Khagaria for transfer of Arms license, issued in favour of his father. Since the suggestion is by the learned District Magistrate to him in the proceeding, therefore, the State has no objection.



8. Upon consideration of the subsequent submission, this Court finds that if it is accepted then grievance of petitioner will be redressed. Accordingly, the present writ application is disposed of with direction to concerned authority to consider the application of the petitioner for transfer of Arms license issued earlier in favour of his father in terms suggestion advanced to him by respondent no. 3 in शस्त्र अभिलेख संख्या 31/2023 within a period of four weeks from the date of receipt of application in accordance with law.

(Vikash Kumar, J)

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