

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5987 of 2025

Vijay Kumar Singh @ Munna Thakur Son of Sri Shivji Singh @ Shivji Thakur, Resident of Village- Nethua, Police Station- Gaura, District-Saran at Chapra. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Saran Division, Chapra.
4. The District Magistrate, Saran.
5. The Distirct Arms Magistrate, Saran.
6. The SHO, Madhaura Police Station, District-Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Udai Shankar Singh, Advocate
For the Respondent/s	:	Mrs. Archana Meenakshee, GP-6
		Mr. Prabhat Ranjan, AC to GP-6
		Mr. Harish Singh, AC to GP-6
		Mr. Rana Veer Prawar, AC to GP-6

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 08-04-2026 Heard learned counsel for the petitioner and learned counsel for the State.

2. The instant writ application has been filed for the following reliefs:-

(i) To quash the order dated 20.03.2017 vide Memo No.110/ श ०, passed by the District Magistrate, Saran, whereby and whereunder the Arms license of the petitioner bearing Arms License No.7/98 has been suspended with immediate effect, alongwith several other person's Arms Licenses and he has been asked to deposit his arms with the police station, Madhaura.

(ii) To quash the order dated 09.10.2024/21.10.2024, passed by the Divisional Commissioner, Saran Division, Chapra in Arms



Appeal Case No.184 of 2024, whereby and whereunder the appeal filed by the petitioner has been rejected without merit of the appeal only on the ground of limitation.

(iii) To command and direct the respondents authorities to revoke the suspension of the Arms License No.7/98 of the petitioner similarly to the other's licenses have been released/ suspension of Arms License have been revoked by the respondents.

(iv) For any other relief(s) for which the petitioner is found entitled in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the issue pertains to the constitutional rights of the petitioner; however, from the impugned order dated 09.10.2024/ 21.10.2024, it appears that the matter has not been adjudicated on merits. It is, therefore, submitted that the appellate authority may be directed to hear the appeal on merits, for which the petitioner undertakes to make himself available as and when directed.

4. Learned counsel for the State submits that, admittedly, the appellate order has not been passed on merits, and the petitioner may be directed to pursue the remedy as provided under law, for which appropriate directions may be issued.

5. Considering the fact that the impugned order does not reflect adjudication of the petitioner's claim on merits and has been rejected solely on the ground of delay, this Court finds it



appropriate to set aside the order dated 09.10.2024/ 21.10.2024.

6. The Divisional Commissioner, Saran, is directed to hear the appeal on merits. The petitioner shall make himself available within a period of two weeks from today, and on his first appearance, the date of hearing shall be communicated to him. The entire proceedings shall be concluded within a period of three months thereafter, and the order so passed on merits, shall be duly communicated to the petitioner.

7. The petitioner is at liberty to place on record all supporting materials as well as judicial pronouncements upon which, he seeks to rely, and the same shall be considered in accordance with law.

8. With the aforesaid observations and directions, the instant writ application stands disposed of.

(Ajit Kumar, J)

shikha/-

U			
---	--	--	--

