

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6446 of 2026

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Anand Prakash Son of Sri Ashok Kumar Prasad, Resident of Village-
Shilhauri, P.O. Shilhauri, P.S. Marhaowarh, District- Saran, Bihar- 841418.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The District Magistrate cum Licensing Authority, Saran.
4. The District Arms Magistrate, Saran.
5. The Sub-Divisional Magistrate, Saran.
6. The Superintendent of Police, Marhowrah, Saran.
7. The Officer In Charge, Marhowrah, Saran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suraj Samdarshi, Adv.
For the Respondent/s : Mr.Government Pleader (11)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ application has been filed for the
following relief;

*“1. i) For issuance of an appropriate writ,
order or direction in the nature of Mandamus
commanding the Respondent District Magistrate
cum Licensing Authority, Saran, to forthwith issue
an arms license to the petitioner and to transfer the
Revolver bearing no. A-22175 issued to the
Petitioner's father, in the name of Petitioner.*

*ii) For a direction upon the Respondent
Superintendent of Police, Saran to forthwith*



submit its report in compliance of letter no. 326 dated 20.05.2016 issued by the Sub-Divisional Officer, Saran.

iii) This Hon'ble Court may adjudicate and hold that the application of petitioner for issuance of arms license and transfer of his father revolver no. A-22175 cannot be kept pending for eternity in the garb of procedural framework.

iv) This Hon'ble Court may further adjudicate and hold the Respondent District Magistrate cum Licensing Authority, Saran, is duty bound to dispose of the application of the petitioner for grant of arms license and transfer of his father's revolver within 60 days as provided in Rule 13 of the Arms Rules 2016.

v) This Hon'ble Court may further adjudicate that the action of the Respondent District Magistrate cum Licensing Authority, Saran in not issuing an arms license to the petitioner is in glaring violation of Rule 25 of the Arms Rules 2016 which provides for grant of arms license to a legal heir.”

3. The instant writ application has been filed seeking a direction commanding the respondents District Magistrate cum Licensing Authority, Saran to forthwith issue an arms license to the petitioner and to transfer the Revolver bearing no. A-22175 issued to the petitioner's father, in the name of the petitioner.

4. At the outset, counsel for the petitioner submits that the petitioner has already submitted an application in the



required format with the required fee under Arms Rules, 2016 before the respondent District Magistrate cum Licensing Authority, Saran for issuance of arms license and transfer of his father's revolver in the name of the petitioner which is registered as Arms Case No. 171 of 2016 but, till date, no decision has been taken. It is further submitted that the in spite of several representations submitted before the licensing authority even bringing to the notice of the licensing authority Rule 25 of Arms Rules, 2016, which mandates that preference has to be given to the heirs/nominee of the licensee, the grievance of the petitioner has till date not been adjudicated.

5. On the other hand, learned counsel for the State submits that since the application for issuance of arms license and transfer of his father's revolver in the name of the petitioner has already been made in the prescribed format, the competent authority is required to adjudicate the same by passing an appropriate order in accordance with law.

6. In view of the aforesaid submissions advanced on behalf of the parties, the District Magistrate, Saran, is directed to take a final decision on the petitioner's application for grant/transfer of an arms licence within a period of eight weeks from today, subject to there being no legal impediment to such



grant/transfer. The order, so passed, shall also be communicated to the petitioner within the said period.

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

(Ajit Kumar, J)

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