

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11307 of 2025

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Pushkar Kumar Son of Rampadarath Singh, Resident of Village- Hasanpur,
P.O.- Mahisona, P.S. - Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Gov-
ernment of Bihar, Patna.
2. The Commissioner, Munger Division, Munger.
3. The District Magistrate cum-District Arms Magistrate, Lakhisarai.
4. The Superintendent of Police, Lakhisarai.
5. The Sub Divisional Officer, Lakhisarai.
6. The Arms Magistrate, Lakhisarai.
7. The S.H.O Lakhisarai P.S., District Lakhisarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vijay Anand, Advocate Mr. Roop Kishan, Advocate
For the Respondent/s	:	Mr. Standing Counsel (28)

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 09-07-2026 Heard learned counsel for the petitioner and

learned counsel for the State.

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

*(i) For challenging the
order dated 22.04.2025 passed by the
Divisional Commissioner, Munger, in
Arms Appeal No. 06/2024 by which
the aforesaid appeal filed by the
petitioner was rejected and affirming
the order of Collector dated
05.12.2023 by which he was refused to*



grant Arms license to the petitioner.

(ii) For challenging the order dated 05.12.2023 passed by learned Collector-cum-District Arms Magistrate, Lakhisarai fully contained in Memo No. 137 by which he was refused to grant Arms license to the petitioner in terms of Police Verification Report.

(iii) To issue writ/order(s) directing the Licensing authority especially Respondent No. 3 to grant the Arms License of the petitioner which has been wrongly been refused vide order dated 05.12.2023.

(iv) To pass such other order(s) as your lordship may deem fit and proper.

3. Learned counsel for the petitioner by referring to the Government Circular as contained in Memo No. 8212 dated 13.10.2014, submits that there is a specific direction issued by Principal Secretary, Home (Police) Department, Government of Bihar, that a licensee who has attained the age of 70 years or has held the weapon for a period of 25 years or more, in such event the license would be transferred to legal heir, which issues in terms of direction issued by Home (Police) Department, has not been considered by the District Magistrate, Lakhisarai and as also by the Divisional Commissioner, Munger while passing order dated 05.12.2023 in Case No. 03/2023 and 22.04.2025 in



Arms Appeal Case No. 06/2024 respectively.

4. On the other hand, learned counsel for the State by referring to the orders passed by the District Magistrate, Lakhisarai and also by the Appellate Authority submits that there is no such consideration, which is apparent from the impugned order and accordingly submits that appropriate directions may be issued to the authorities concerned to take final decision in accordance with the directions issued by the Home (Police) Department, Government of Bihar.

5. Considering the fact that the consideration which has been directed by the Home (Police) Department, Government of Bihar, has not been made by the Licensing Authority as well as the Appellate Authority. This Court deems it proper to set aside both the orders dated 05.12.2023 in Case No. 03/2023 and 22.04.2025 in Arms Appeal Case No. 06/2024 and accordingly, the District Magistrate, Lakhisarai is directed to reconsider the claim of this petitioner in accordance with Memo no 8212 dated 13.10.2014. It is further directed that if required, necessary hearings shall also be given to this petitioner. All such materials that may be produced by the petitioner for the redressal of his grievances shall be considered and necessary orders shall be passed within a period of eight weeks.



6. With the aforesaid observation and direction, the writ petition stands disposed of.

(Ajit Kumar, J)

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