

**Civil Writ Jurisdiction Case No.9713 of 2023**

Binod Kumar Chaudhary @ Binod Chaudhary Son of Shri Ramdev Chaudhary, Resident of Village and Post - Bilaspur (Belaspur), P.S. Mairwa, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Commissioner, Saran Division, Chapra.
3. The District Magistrate, Siwan.
4. The Superintendant of Police, Siwan.
5. The Arms Magistrate, Siwan.
6. The Sub-Divisional Officer, Siwan.
7. The S.H.O. Mairwa Police Station, Mairwa, District Siwan.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Javed Aslam  
For the Respondent/s : Mr.Sheo Shankar Prasad ( Sc 8 )

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      28-11-2023                                  1. This application has been filed for quashing the  
order dated 01.11.2022 passed in Arms Appeal No. 63 of 2022  
by the Commissioner, Saran Division Chapra by which the  
appeal filed by the petitioner was dismissed against the order  
dated 28.02.2022 contain in Memo No. 432/Arms passed by the  
Arms Executing Magistrate, Siwan.

2. Learned counsel for the petitioner submits that petitioner could not get the notice for Arms verification and therefore, he could not comply the general notice for Arms verification and on that ground the arms license of the petitioner



was cancelled.

3. Because of one fault by the petitioner, his arms license should not be cancelled.

4. The authorities must issue individual notice to arms license holders for verification and then only they can be cancelled. Without personal service of notice, the general notice will not result in the cancellation of the arms license of the petitioner.

5. The District Magistrate is directed not to commit the same mistake in future.

6. With the aforesaid observation and direction, this application is allowed and the order dated 01.11.2022 passed in Arms Appeal No. 63 of 2022 by the Commissioner, Saran Division Chapra and the dated 28.02.2022 contain in Memo No. 432/Arms passed by the Arms Executing Magistrate, Siwan is hereby quashed and the arms license of the petitioner is restored.

**(Sandeep Kumar, J)**

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