

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10189 of 2023

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Jawed Ahmad @ Jawed Ahmad Siddique Son of Late Haji Jainuddin Ahmad
@ Zainuddin Ahmad Resident of Village-Madhapur, P.S. Barharia 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. Barharia Police Station, Barharia District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Respondent/s : Mr.Manish Kumar (Gp4)

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2023 Heard the learned counsel for the parties.

2. The petitioner has challenged the order dated 15.02.2022 contain in Memo No. 373/Arms passed by Arms Executive Magistrate, Siwan by which arms license of the petitioner has been cancelled on the ground that he did not get the license verified during Panchayat Election 2021. The petitioner ha also challenged the order dated 03.01.2023 passed in Arms Appeal No. 45/2022 by the Commissioner, Saran Division Chapra by which the order dated 15.02.2022 has been affirmed.



3. From reading of the order dated 15.02.2022, it appears that no personal notice has been given to the petitioner and the petitioner has not been heard.

4. Before cancelling the Arms License of licensee on any ground, the licensee must be issued personal notice and he must be heard.

5. In view of the fact that the principles of natural justice have been violated, this application is allowed and the order dated 15.02.2022 contain in Memo No. 373/Arms passed by Arms Executive Magistrate, Siwan and order dated 03.01.2023 passed in Arms Appeal No. 45/2022 by the Commissioner, Saran Division Chapra are hereby quashed.

6. The authorities are at liberty to initiate any action in accordance with law.

7. This application stands allowed.

(Sandeep Kumar, J)

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