

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20578 of 2023

In
CRIMINAL MISCELLANEOUS No.53441 of 2022

Arising Out of PS. Case No.-219 Year-2020 Thana- BAJPATTI District- Sitamarhi

SHANKAR JHA @ SHANKAR KUMAR JHA S/O SHRI SATYA
NARAYAN JHA RESIDENT OF VILL- BANGAON, P.S- BAJPATTI,
DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Narayan Jha, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This application has been filed for modification of the
order dated 21.11.2022 passed in Cr. Misc. No. 53441 of 2022 by
which the petitioner had been granted anticipatory bail by this
Court.

Extension of period of surrender by way of
modification of the order as aforesaid is sought on behalf of the
petitioner after five months from the date of order granting
anticipatory bail to the petitioner but the record reveals that the
petitioner is trying to bring on record another fact with respect to
his criminal antecedent to the effect that the petitioner is having
three antecedents whereas in the main application only two



antecedents have been mentioned. This appears to be a matter of suppression of fact and an example of misuse of privilege of anticipatory bail.

Taking note of lackadaisical approach of the petitioner and misuse of anticipatory bail, this Court would rely on Section 362 of the Cr.P.C., which is quoted herein-below:

“362. Court not to alter judgment. Save as otherwise provided by this Code or by any other law for the time being in force, no Court, when it has signed its judgment or final order disposing of a case, shall alter or review the same except to correct a clerical or arithmetical error.”

In view of intent of Section 362 Cr.P.C., this Court is not inclined to modify the order order dated 21.11.2022 passed in Cr. Misc. No. 53441 of 2022.

Accordingly, this modification application stands dismissed.

(Rajesh Kumar Verma, J)

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