

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18358 of 2023

In
CRIMINAL MISCELLANEOUS No.57384 of 2022

Arising Out of PS. Case No.-206 Year-2021 Thana- NARPATGANJ District- Araria

Smt. Rubi Devi Wife Of Santosh Mandal R/O Vill.- Fatehpur, P.S.-
Narpatganj, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

The present modification application has been filed
for modifying the order dated 14.12.2022 passed in Cr. Misc.
No. 57384 of 202.

By the order dated 14.12.2022, learned counsel for
the petitioner undertakes *“Learned counsel for the petitioner
outrightly submits that he is ready to pay the amount of Rs.
2,16,601/- in the account of the School Management Committee
within a period of four weeks.”*

The present modification application has been filed
stating in the modification application that the petitioner has
completed the entire work in question and the Bihar Education



Project Officer, Araria had issued a certificate of completion of work in question.

Learned counsel for the petitioner submits that in view of the condition no. 1 *“At the time of furnishing bail bond, the learned Court below shall verify the genuineness of the deposit the amount of Rs. 2,16,601/- before granting the bail”*, since the condition no. 1 has not been fulfilled by the petitioner so the bail bond of the petitioner was not accepted by the learned Court below.

The Court also notice Section 362 of Cr. P.C. it reads as follows :-

“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 the aforesaid facts and circumstances, the instant modification petition is dismissed.

(Rajesh Kumar Verma, J)

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