

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18316 of 2023

In
CRIMINAL MISCELLANEOUS No.61048 of 2022

Arising Out of PS. Case No.-516 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Krishna Kumar Son of Raj Kumar Singh R/V- Chakanhawa, P.S- Dehri
(Indrapuri) Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh 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 modify the order dated 10.02.2023 passed in Cr. Misc.
No. 61048 of 2022.

By the order dated 10.02.2023, the petitioner was
granted bail with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be
properly represented on each and every date fixed by the Court
and shall remain physically present as directed by the Court and
on his absence on two consecutive dates without sufficient
reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The learned counsel for the petitioner submits that the mother of the petitioner is a house wife and she had sworn affidavit in the bail application. He further submits that the mother of the petitioner had no knowledge about the involvement of his son in one another case bearing Dehri Town P.S. Case No. 599 of 2021 and hence it had been stated in paragraph-3 of the bail petition that the petitioner has no criminal history.

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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