

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74553 of 2023

In
CRIMINAL MISCELLANEOUS No.26308 of 2023

Arising Out of PS. Case No.-368 Year-2021 Thana- KATEYA District- Gopalganj

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SUJEET YADAV @ SUJEET KUMAR YADAV S/O LALBABU YADAV
R/O VILLAGE- BHANGAHI SOHAGPUR, CHHITAUNA, P.S- KATEYA,
DISTT.- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-11-2023 Heard Ms. Vaishnavi Singh, learned counsel for the

petitioner as well as Mr. Bhanu Pratap Singh, learned APP for

the State.

2. The present modification application has been

filed for modify the order dated 25.07.2023 passed in Cr. Misc.

No. 26308 of 2023.

3. By the order dated 25.07.2023, 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.

4. The learned counsel for the petitioner submits that due to communication gap on the basis of the information furnished by the Pairvikar it was stated in paragraph-3 of the bail petition that the petitioner has three more cases but in fact the petitioner has four more cases other than the present one.

5. 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.”

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

(Rajesh Kumar Verma, J)

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