

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36180 of 2024

In

CRIMINAL MISCELLANEOUS No.60661 of 2022

Arising Out of PS. Case No.-336 Year-2020 Thana- SIDHWALIYA District- Gopalganj

=====

Anil Kumar Yadav Son of Narayan Yadav @ Narayan Rai @ Ramnarayan
Ray R/o Village - Jalalpur Khurd, P.S.- Sidhwalia, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2024 Heard Mr. Y.C. Verma, learned senior counsel for

the petitioner and Mr. Harendra Prasad, learned A.P.P. for the

State.

2. The present modification application has been filed

for modifying the order dated 25.01.2023.

3. By the order dated 25.01.2023, the petitioner was

granted bail with the following conditions :-

i. 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.

ii. If the petitioner tampers with the
evidence or the witnesses, in that case, the
prosecution will be at liberty to move for cancellation
of bail.

iii. And further condition that the court



below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioner has concealed his criminal antecedent, 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 para-3 of the bail petition that the petitioner has no criminal history.

5. The Court also noticed Section 362 of Cr.P.C. which 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 view of the aforesaid facts and circumstances, the instant modification petition is dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

