

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36236 of 2024
In
CRIMINAL MISCELLANEOUS No.23143 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- DHAMDAHA District- Purnia

Dilip Poddar S/o Late Hiralal Poddar R/o vill - Damgara Ghat, P.S. -
Dhamdaha, Distt. - Purnea Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-05-2024 Heard Mr. Ravish Mishra, learned counsel for the

petitioner and Dr. Kumar Uday Pratap, learned A.P.P. for the

State.

2. The present modification application has been filed
for modifying the order dated 24.04.2024.

3. By the order dated 24.04.2024, the petitioner along
with two others were granted bail with the following
conditions :-

i. Petitioners 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 their absence
on two consecutive dates without sufficient reason,
their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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 all the petitioners including this petitioner, namely, Dilip Podar 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)

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