

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52015 of 2024

In
CRIMINAL MISCELLANEOUS No.18325 of 2024

Arising Out of PS. Case No.-68 Year-2022 Thana- HATHAURI District- Muzaffarpur

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Ravi Shankar Kumar S/O Shyam Rai @ Shyam Kumar Yadav R/O Village-
Beraï, P.S- Hathaudi, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-07-2024 Heard Mr. Sagar Kumar, learned counsel for the

petitioner and Ms. Anita Kumari, learned A.P.P. for the State.

2. The present modification application has been filed
for modifying the order dated 02.04.2024 passed in Cr. Misc.
No. 18325 of 2024.

3. By the order dated 02.04.2024, the petitioner was
granted privilege of anticipatory bail where learned counsel for
the petitioner submitted that the petitioner had performed
marriage with the victim and on the request of the learned
counsel for the petitioner this Court had imposed the following
conditions :-

*1. One of the bailors should be the victim,
namely, Aafiya Praveen.*

2. 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.

3. 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.

4. 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 present modification application has been filed to change the condition no. 1 on the ground that the victim is not ready to become the bailor in the present case.

5. It is relevant to mention here that the learned counsel for the petitioner had submitted that the petitioner had performed marriage with the victim and she is ready to become bailor and on the assurance of the learned counsel for the petitioner, this Court has allowed bail to the petitioner.



6. The Court 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.”

7. In view of the Section 362 of the Cr.P.C. and the aforesaid facts and circumstances, the instant modification petition stands dismissed.

(Rajesh Kumar Verma, J)

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