

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55018 of 2024

In
CRIMINAL MISCELLANEOUS No.38013 of 2024

Arising Out of PS. Case No.-760 Year-2018 Thana- ALAMGANJ District- Patna

Uday Kumar Son of Amal Roy Resident Of Nand Gola, P.S- Malsalami,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Tripathi, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-08-2024 Heard Mr.Hari Tripathi, learned counsel for the

petitioner and Mr.Dilip Kumar No. 1,learned Additional Public

Prosecutor for the State.

2. The present modification application has been filed
for modification of the order dated 26.06.2024.

3. By the order dated 26.06.2024, the petitioner was
granted privilege of anticipatory 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 petitioner 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 anticipatory bail petition that the petitioner has got no criminal antecedent but in fact the petitioner has got two more criminal antecedents other than the present one.

5. The Court also noticed 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)

Nitesh/-

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

