

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78694 of 2024

In
CRIMINAL MISCELLANEOUS No.17163 of 2023

Arising Out of PS. Case No.-1842 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Mela Bind @ Ajeet Kumar S/O Tileshwar Bind @ Tileshwar Ram Resident of
Village- Adampur, P.S- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Mining Officer, Rohtas (Sasaram). Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2024 Heard Mr. Nawal Kishore Singh, learned counsel
for the petitioner and Mr. Rajendra Singh, learned Additional
Public Prosecutor for the State.

2. The present modification application has been filed
for modification of the order dated 17.05.2023.

3. By the order dated 17.05.2023, petitioner was
granted regular 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 tamper 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 regular bail petition that the petitioner has no criminal history but in fact petitioner carries eight more cases other than the present one, as mentioned in para-5 of the present modification application.

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)

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