

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77809 of 2024

In
CRIMINAL MISCELLANEOUS No.65615 of 2024

Arising Out of PS. Case No.-378 Year-2024 Thana- DARIYAPUR District- Saran

1. Suchindra Singh @ Sachindra Singh Son of Late Raghunandan Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
2. Santosh Singh @ Santosh Kumar Singh Son of Late Rajendra Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
3. Sudama Singh Son of Suchindra Singh @ Sachindra Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
4. Arjun Singh Son of Late Rajendra Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
5. Surendra Singh Son of Late Raghunandan Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
6. Raja Singh Son of Surendra Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
7. Uma Devi Wife of Raja Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
8. Sindhu Devi @ Vindu Devi Wife of Sudama Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
9. Sima Devi Wife of Santosh Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
10. Rachana Devi Wife of Arjun Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)
11. Jeeramati Kuar @ Jira Mati Kunwar Wife of Late Rajendra Singh R/O-Village Semrahiya, P.S -Dariyapur, District -Saran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2024 Heard Mr. Rakesh Kumar, learned counsel for the
petitioners and Mr. Pramod Kumar Pandey, learned Additional



Public Prosecutor for the State.

2. The present modification application has been filed for modification of the order dated 05.10.2024.

3. By the order dated 05.10.2024, petitioner Nos.1,3,5,7,8 and 11 were granted privilege of anticipatory 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 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, 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 petitioners 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 petitioners have no criminal history but in fact petitioner Nos.1,5,7,8 and 11 carry one more case and petitioner No.3 carries two more cases other than the present one, as mentioned in para-5 (i) and (ii) 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)

ajay/-

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

