

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81674 of 2024

In
CRIMINAL MISCELLANEOUS No.30344 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- PUNAURA District- Sitamarhi

Sunita Devi W/o Late Ram Vivek Yadav R/o Village- Chak Mahila, Ward No. 21, P.S- Punaura, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Madhubala Verma, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-11-2024 Heard Ms. Madhubala Verma, learned counsel for

the petitioners and Mr. Raj Kishor Singh, learned A.P.P. for the

State.

2. The present modification application has been filed
for modifying the order dated 26.07.2024.

3. By the order dated 26.07.2024, the petitioner was
granted 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, their 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 her 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 bail petition that the petitioner 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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