

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82690 of 2024

In
CRIMINAL MISCELLANEOUS No.61505 of 2024

Arising Out of PS. Case No.-115 Year-2024 Thana- RAHUI District- Nalanda

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1. Naresh Yadav @ Naresh Kumar S/o- Beni Yadav Resident of vill- Orra PS- Rahui Distt- Nalanda
 2. Nitish Kumar @ Rakesh S/o- Beni Yadav Resident of vill- Orra PS-Rahui Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2024 Heard Mr. Dhananjay Kumar, learned counsel for the

petitioners as well as Ms. Asha Kumari, learned APP for the

State.

2. The present modification application has been filed
for modify the order dated 25.09.2024 passed in Cr. Misc.
No. 61505 of 2024.

3. By the order dated 25.09.2024, the petitioners were
granted bail with the following conditions :-

*“(1) 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.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 mistake it was mentioned in paragraph-3 of the bail petition that the petitioners carry two more criminal antecedents but in fact the petitioners carry three more criminal antecedents.

5. The Court also notice 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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