

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84849 of 2023

In
CRIMINAL MISCELLANEOUS No.58456 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- KOTWALI District- Munger

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KARU KUMAR @ KARU SINGH Son of Late Manoj Kumar R/o vill - Moh
- Subhash Nagar, P.s. - Kotwali, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-01-2024 Heard Mr. Binod Kumar Sinha, learned counsel for

the petitioner as well as Mr. Ashok Kumar Singh, learned APP

for the State.

2. The present modification application has been filed
for modify the order dated 06.10.2023 passed in Cr. Misc.
No. 58456 of 2023.

3. By the order dated 06.10.2023, the petitioner was
granted bail with the following conditions :-

(1) 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.



(2) If the petitioner 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, 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 inadvertently and no knowledge about the case, it was stated in paragraph-3 of the bail petition that the petitioner has no criminal history.

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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