

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86932 of 2024

In

CRIMINAL MISCELLANEOUS No.65236 of 2024

Arising Out of PS. Case No.-395 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Hari Ram @ Harish Son of Sura Ram Resident of Village- Konra, P.S.-
Chauhata, Distt.- Badger @ Barmer (Rajasthan) Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2024 Heard Mr. Anuj Kumar, learned counsel for the
petitioner and Ms. Anita Kumari, learned A.P.P. for the State.

2. The present modification application has been filed
for modifying the order dated 18.10.2024 passed in Cr. Misc.
No. 65236 of 2024.

3. By the order dated 18.10.2024, 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, his 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 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 bail petition that the petitioner carries only one criminal antecedent.

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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