

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14251 of 2025

In
CRIMINAL MISCELLANEOUS No.72672 of 2024

Arising Out of PS. Case No.-310 Year-2024 Thana- SULTANGANJ District- Bhagalpur

1. Nitesh Kumar Son of Nand Kishor Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.
2. Raja Kumar Son of Late Prabhas Prakash Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.
3. Vikash Kumar Son of Nand Kishor Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.
4. Amarjeet Kumar @ Mandal Son of Nand Kishor Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.
5. Nand Kishor Mandal Son of Late Medni Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.
6. Diwana Kumar @ Mandal @ Diwana Mandal Son of Late Medni Mandal Resident of Village - Kamargunj, P.S. - Sultangunj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Swapnil Kumar Singh, learned counsel

for the petitioners and Mr. Narendra Kumar Singh, learned

A.P.P. for the State.

2. The present modification application has been filed

for modifying the order dated 29.01.2025.

3. By the order dated 29.01.2025, the petitioners were

granted bail with the following conditions :-



i. Petitioners (except petitioner no. 1) 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 (except petitioner no. 1) 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 petitioners (except petitioner no. 1) and in case at any stage it is found that the petitioners (except petitioner no. 1) have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners (except petitioner no. 1). 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. Learned counsel for the petitioners submits that during pendency of the case, the informant has lodged Sultanganj P.S. Case No. 537 of 2024 and the petitioners have no knowledge about the same at the time of granting of bail.

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 light of the Section 362 of the Cr.P.C., the instant modification petition stands dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

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

