

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52085 of 2025**

**In
CRIMINAL APPEAL (SJ) No.5168 of 2023**

Arising Out of PS. Case No.-275 Year-2022 Thana- ALAMNAGAR District- Madhepura

Chunchun Mehta @ Chunnu Mehta son of Surendra Mehta @ Badul Mehta
@ Sulo Mehta Resident of village-Madhatpur Basa ward no 13 ps-Alamnagar
District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 01-08-2025 Heard Mr. Jitendra Kumar Giri, learned counsel for

the petitioner and Mr. Mohammed Arif, learned A.P.P. for the

State.

2. The present modification application has been filed
for modifying the order dated 29.04.2025 passed in Cr. Appeal
(SJ) No. 5168 of 2023.

3. By the order dated 29.04.2025, the appellant was
granted bail with the following conditions :-

*i. Appellant 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 appellant 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 appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. 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 but in reality the petitioner carries one criminal antecedent.

5. The Court also noticed Section 362 of Cr.P.C / 403 of B.N.S.S which reads as follows :-

“362/403 – Court not to alter judgment.

Save as otherwise provided by this Code/Sanhita 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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