

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47688 of 2025**

**In
CRIMINAL APPEAL (SJ) No.4626 of 2023**

Arising Out of PS. Case No.-111 Year-2023 Thana- KUMAR KHAND District- Madhepura

1. Parmanand Yadav son of Late Gogal yadav VILLAGE- GUDIYA, P.S. -KUMARKHAND, DISTRICT -MADHEPURA
2. Raben Kumar son of Parmanand Yadav VILLAGE- GUDIYA, P.S. -KUMARKHAND, DISTRICT -MADHEPURA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Kishore Son of Raj Kumar Paswan VILLAGE- GUDIYA, Ward no. 14 P.S. -KUMARKHAND, DISTRICT -MADHEPURA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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

2 11-07-2025 Heard Mr. Nafisu Zzoha, learned counsel for the appellants and Mr. Anil Kumar, learned A.P.P. for the State.

The present modification application has been filed for modifying the order dated 22.04.2025.

By the order dated 22.04.2025, the appellants were granted bail with the following conditions :-

1. Appellants 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 appellants tamper with the evidence or the witnesses, 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 appellants and in case at any stage it is found that the appellants have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. 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.

The learned counsel for the appellants 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 appellant no. 1 carries two criminal antecedents and appellant no. 2 has clean antecedent but in reality the appellant no. 1 carries 3 criminal antecedents and appellant no.



2 carries one criminal antecedents.

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.”

In view of the aforesaid facts and circumstances, the instant modification petition is dismissed.

(Rajesh Kumar Verma, J)

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