

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49083 of 2025

In
CRIMINAL MISCELLANEOUS No.35475 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- PRANPUR District- Katihar

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1. Sikendra Kumar @ Sikander Kumar son of Sitaram Mandal Village- Maroch, Ps- Pranpur, Dist- Katihar
 2. Laxmi Devi wife of Sitaram Mandal Village- Maroch, Ps- Pranpur, Dist- Katihar
 3. Pintu Kumar @ Pinku Kumar @ Pinku Manal son of Sitaram Mandal Village- Maroch, Ps- Pranpur, Dist- Katihar
 4. Sitamram Mandal son of Santlal Mandal Village- Maroch, Ps- Pranpur, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-07-2025 Heard Mr. Pawan Kumar Singh, learned counsel for

the petitioners and Mr. Shantanu Kumar, learned A.P.P. for the

State.

2. The present modification application has been filed
for modifying the order dated 31.07.2024.

3. By the order dated 31.07.2024, the petitioners were
granted bail with the following conditions :-

*i. Petitioners 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 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 and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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 petitioners 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 petitioners have no criminal history but in reality the petitioners carries two criminal antecedents other than the present one.

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

(Rajesh Kumar Verma, J)

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