

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81876 of 2025

In
CRIMINAL MISCELLANEOUS No.68779 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- PALANWA District- East Champaran

1. Amjad Khan S/O Hassan Khan Resident of Village - Gadh Bahuari, P.S. - Palanwa, District - East Champaran.
2. Shamsheer Khan S/O Wahid Khan Resident of Village - Gadh Bahuari, P.S. - Palanwa, District - East Champaran.
3. Murad Khan S/O Hassan Khan Resident of Village - Gadh Bahuari, P.S. - Palanwa, District - East Champaran.
4. Arsad Khan S/O Hassan Khan Resident of Village - Gadh Bahuari, P.S. - Palanwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-12-2025 Heard Mr. Madhurendra Kumar, learned counsel for the petitioners as well as Mr. Ramchandra Sahni, learned APP for the State.

2. The present modification application has been filed for modify the order dated 26.09.2025 passed in Cr. Misc. No. 68779 of 2025.

3. By the order dated 26.09.2025, the petitioners were granted bail with the following conditions :-

(1) 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.

(2) If the petitioners tamper with the evidence or the witness, 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 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 petitioner submits that due to improper information, the deponent who is the maternal uncle of the Majhar Khan (petitioner no. 1) and on the basis of the information furnished by the Deponent, it was stated in paragraph-3 of the bail petition that the petitioners have no criminal history but in fact the petitioners carries one more case other than the present one.



The Court also noticed Section 362 of Cr.
P.C./Section 403 of BNSS, 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.”

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

(Rajesh Kumar Verma, J)

Ibrar//-

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

