

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88527 of 2024

In
CRIMINAL MISCELLANEOUS No.75603 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- NAGARNAUSA District- Nalanda

Sumit Kumar Son of Maheshwar Pandit Resident of Village- Bhadru Bigha,
P.S.- Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The present application has been filed for modification in order dated 11.11.2024 in Cr. Misc. No.75603 of 2024.

3. Counsel for the petitioner submits that he was present in the Court, but prior to call, he felt uneasy and, therefore, immediately rushed to his doctor, where his blood pressure was found exhaustive *i.e.*, 180/100 and it is due to this reason, he could not appear before this Court and in result, an order has been passed behind his back.

4. Counsel further prayed that in this case, bail has been granted, but his client is not in a position to fulfill



condition on the basis of which bail has been granted.
Therefore, he dares to file modification in this case.

5. Learned Counsel for the State submits that whatsoever the pleading of the petitioner, but factual position is that it is not typing mistake. Therefore, an order passed in the criminal matters could not be modified on the basis of which the petitioner has filed the application.

6. After hearing the parties, it transpires to this Court that the petitioner's prayer for modification could not be accepted as it amounts to review of the order which is not permissible in the criminal jurisprudence.

7. As such, this Court is not inclined to pass any order on merit in this case and, hence, the present application is hereby rejected with liberty that the petitioner may recourse his legal remedy in accordance with law.

8. Accordingly, the modification application is hereby rejected.

(Dr. Anshuman, J.)

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