

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33083 of 2026

In
CRIMINAL MISCELLANEOUS No.4316 of 2026

Arising Out of PS. Case No.-591 Year-2025 Thana- MADHAURAH District- Saran

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Ram Ishwar Mahto son of Late Heera Mahto R/o Village - Dev Bahuara, Ps-
Marhaura, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr.Jitendra Kumar, learned counsel for the

petitioner and Mr.Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. The present modification application has been filed
for modification of the order dated 06.02.2026.

3. By the order dated 06.02.2026, the petitioner was
granted privilege of anticipatory bail with the following
conditions :-

I. Petitioner 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 petitioner 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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 anticipatory bail petition that the petitioner has no criminal history but in fact the petitioner carries three more case other than the present one, as mentioned in para-5 of the present modification application.

5. The Court also noticed Section 362 of Cr.P.C./ Section 403 of BNSS, 2023 it 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 aforesaid facts and circumstances, the instant modification petition is dismissed.

(Rajesh Kumar Verma, J)

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