

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44176 of 2026

In
CRIMINAL MISCELLANEOUS No.32825 of 2026

Arising Out of PS. Case No.-353 Year-2025 Thana- ALAMNAGAR District- Madhepura

Tantan Rajak @ Rajesh Rajak S/o Santosh Rajak Resident of village- Bihat Behta, Behata Ward no 09, P.S.-Sonbarsa Raj, District-Saharsa. Presently resident of village-Godram, Ward no.2, P.S-Basanahi, District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-07-2026 Heard Mr. Pawan Kumar, learned counsel for the petitioners and Mr. Shailendra Kumar Singh, learned A.P.P. for the State.

2. The present modification application has been filed for modifying the order dated 13.05.2026 passed in Cr. Misc. No. 32825 of 2026 by which the petitioner was granted 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 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.

3. 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 bail petition that the petitioner carries two criminal antecedents but in fact, the petitioner carries three criminal antecedents other than the present one.

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

(Rajesh Kumar Verma, J)

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