

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.202 of 2021**

Arising Out of PS. Case No.-60 Year-2019 Thana- FATUA District- Patna

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TULLA GOPE ALIAS RAJNISH KUMAR SON OF RAKESH KUMAR  
RESIDENT OF VILLAGE- MIRJAPUR NOHTA, P.S.- FATUHA,  
DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.A.G

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-09-2021                      Heard learned counsel for the petitioner and the State  
through virtual mode.

Learned counsel for the petitioner is directed to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Fatuha P.S.  
Case No. 60 of 2019 registered under Sections 387, 394,  
302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant's brother after closing his  
grocery shop having a bag containing cash, mobile and other  
articles, was going home, in the way, the accused persons  
snatched the bag and shot him. In course of treatment, the  
informant's brother succumbed to the injuries.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. In course of investigation, merely on the basis of suspicion, his name has transpired in this case. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City in connection with Fatuha P.S. Case No. 60 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight



weeks to the satisfaction of the court concerned in connection  
with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

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