

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23599 of 2026**

Arising Out of PS. Case No.-1259 Year-2025 Thana- MOTIHARI TOWN District- East  
Champaran

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Anavesh Maurya @ Anavesh Kumar Son of Bachcha Kushwaha Resident of  
Village - Chiraiya, P.S.-Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sitesh Kashyap, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

4      08-07-2026                                      Heard the learned counsel for the petitioner  
and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Motihari Town P.S. Case No. 1259 of 2025, F.I.R dated 10.12.2025 registered for the offences punishable under Section(s) 306/3 (5) of Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 12.10.2025, the informant, proprietor of Neeraj Hardware, Kolhuharwa, Ward No. 18, Janpur, lodged an F.I.R. alleging that while he was away for about 45 days on business, his two employees, Anavesh Maurya and Upkar Kumar, sold hardware goods worth approximately Rupees 15 lakh to various shopkeepers without his knowledge or consent. Upon checking the CCTV footage and verifying the stock, the informant discovered that the



articles had been sold to Sri Bajrang Timber and Traders, Turkauliya, and Hindustan Hardware Panch Pakadi, and accordingly the F.I.R.

4. Learned counsel for the petitioner submits that on the basis of confession made by co-accused Upkar Kumar, who has confessed his involvement in the instant case, the recovery is said to have been made from the shops, namely Sri Bajrang Timber and Traders, Turkauliya, and Hindustan Hardware. It is the case of the petitioners that they are the employees of the said shop and the informant has authorised them to sell the articles from his shop on credit to the retailers who were known to informant and because of certain money dispute arose with the retailers, who have been named by co-accused, Upkar Kumar, the instant F.I.R. has been lodged implicating them in this case, while nothing incriminating is said to have been recovered from the constructive possession of this petitioner. And, the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail in respect of the petitioner.

6. Considering the aforesaid facts and apparently the nature of allegation which is said to have been levelled against this petitioner appears to be disputed facts and the petitioner



having clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with the afore-mentioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

*(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;*

*(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;*

*(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;*

*(iv) the petitioner(s) shall desist from committing any criminal offence again,*



*failing which the State shall be at liberty to  
take steps for cancellation of their bail  
bonds.*

**(Ajit Kumar, J)**

surya/-

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