

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26158 of 2025

Arising Out of PS. Case No.-15 Year-2022 Thana- VIGILANCE District- Patna

Prashant Kumar

... .. Petitioner/s

Versus

The State Of Bihar Through The Additional Chief Secretary, Vigilance
Department, 4th Floor

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Anuj Kumar, Advocate
For the Vigilance	:	Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-10-2025 Heard Mr. Yogesh Chandra Verma, learned senior
counsel along with Mr. Anuj Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Rana Vikram Singh, learned
counsel for the Special Vigilance Unit.

2. Learned senior counsel appearing on behalf of the
petitioner submitted that if meticulously calculations are made
and source of income and expenditure is taken into account as
has been described in the prosecution report and explained in
the present application, no case of disproportionate asset is
made out. The petitioner is ready to cooperate in investigation
so that he can explain before the Investigating Officer based on



the records and the impeccable materials collected in course of the investigation till date. The petitioner, therefore, seeks interim protection and stay of further proceedings.

3. *Per contra*, Mr. Rana Vikram Singh, learned counsel appearing on behalf of the Special Vigilance Unit submitted that by way of last indulgence short time be granted to file counter affidavit and he seeks further one week's time.

4. Considering the fact that vide order dated 29.04.2025, this Court had granted four weeks' time considering that the investigation is pending for more than three years and explanation in that regard is wanted as further failure on the part of the prosecution will only affect the right guaranteed to the petitioner under Article 21 of the Constitution of India. The petitioner is willing to participate in the investigation. I find that any coercive action will only lead to malicious prosecution against the petitioner.

5. In such circumstances, no coercive step shall be taken against the petitioner in connection with Special Vigilance Unit P.S. Case No. 15 of 2022 (Special Case No. 74 of 2022). In case of failure on the part of the opposite party, the further proceedings will lead to malicious prosecution leading to failure of justice warranting interference of this Court to decide the



case on the basis of the materials available on record.

6. As prayed for, re-notify the present application on
04.11.2025.

(Purnendu Singh, J)

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