

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29643 of 2026

Arising Out of PS. Case No.-36 Year-2013 Thana- VIGILANCE District- Patna

Satyendra Prasad Sinha S/o Late Ram Ishwar Singh R/o Village - Arai Benipur, P.S. - Daniyawa, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar through Vigilance Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Hemant Kumar, Adv.
		Mr.Gaurav Prakash, Adv.
For the Opposite Party/s :		Mr.Arvind Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State Mr. Arvind Kumar.

2. The petitioner is apprehending his arrest in connection with Vigilance P.S. Case No. 36 of 2013 registered for the offences punishable under Sections 13(2)r/w, 13(1)(e) of the Prevention of Corruption Act, 1988.

3. The petitioner is apprehending his arrest in a Disproportionate Assets case and the DA was of Rs.1 crore 60 lakhs and odd amount. Earlier, during the course of investigation, the petitioner had approached this Court for anticipatory bail which was rejected *vide* order dated 18.04.2014 passed in Criminal Miscellaneous No. 3840 of 2014. He asserts that the same was during the course of investigation but now the investigation is complete and the vigilance department has submitted the charge sheet. He asserts that completion of investigation and submission of charge sheet is a new development entitling him to renew his prayer for anticipatory



bail. The Hon'ble Supreme Court in the case of ***State of Rajasthan vs. Ravindra Saxena*** reported in (2010) 1 SCC 684 had allowed the anticipatory bail application that had been rejected for the third time by the Hon'ble Rajasthan High Court and it is held in Para 8 which reads as under:-

“8. xxx Upon consideration of the entire issue this Court laid down certain salutary principles to be followed in exercise of the power under Section 438 CrPC by the Sessions Court and the High Court. It is clearly held that the anticipatory bail can be granted at any time so long as the applicant has not been arrested. When the application is made to the High Court or the Court of Session it must apply its own mind on the question and decide when the case is made out for granting such relief.”

4. Learned counsel for the petitioner submits that the petitioner was posted as an Execution Engineer. The case was instituted in 2013. The petitioner is a retired employee, he retired in 2016. Investigation is already complete, the petitioner states that he has fully co-operated with the investigation. The case is based upon documentary evidence and all the documents are in possession of the prosecution.

5. Learned counsel for Vigilance Mr. Arvind Kumar has vehemently opposed the prayer for anticipatory bail of the petitioner stating that second anticipatory bail is not maintainable and moreover the petitioner is needed for facing trial.

6. In view of the judgment rendered in the case of ***State***



of Rajasthan vs. Ravindra Saxena as well as the fact that now the investigation has concluded and charge sheet has been submitted which is the changed circumstances as also that the petitioner is now retired and undertakes to co-operate with the trial, 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 Special Court, Vigilance, Patna in connection with Vigilance P.S. Case No. 36 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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