IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38261 of 2026

CNR No. BRHC010548732026

Arising Out of PS. Case No.-135 Year-2016 Thana- VIGILANCE District- Patna

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Radha Devi W/o- Ramesh Chandra Prasad R/v- Moh- Chandpur Bela Ps- Jakanpur Dist- Patna

... ... Petitioner/s

Versus

The State of Bihar through Vigilance

... ... Opposite Party/s

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

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 18-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Special Case No. 73 of 2016 arising out of Vigilance P.S. Case No. 135 of 2016 registered for the offence punishable under Section/s 13(2) r/w 13(1)(e) of the P.C. Act, 1988.

3. As per prosecution case, the accused, Ramesh Chandra Prasad, the then District Welfare Officer, Begusarai, was allegedly caught red-handed by the Vigilance Investigation Bureau on 28.01.2016 while accepting a bribe of Rs. 40,000/- from the complainant. Accordingly, Vigilance P.S. Case No. 09/2016 was registered under Sections 7 and 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988, and

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charge-sheet No. 18/2016 dated 21.03.2016 was submitted after investigation. Further, during searches at his residences in Begusarai and Patna, cash, jewellery and documents relating to land and other investments were allegedly recovered and seized. Further, scrutiny of his assets for the check period from 17.11.1989 to 28.01.2016 allegedly revealed assets worth Rs. 62,03,716/- against estimated legitimate savings of Rs. 30,00,000/-, resulting in disproportionate assets of Rs. 32,03,716/-.

4. Learned counsel for the petitioner submits that merely because certain properties have been registered in the name of the petitioner along with her husband namely Ramesh Chandra Prasad, the petitioner has been implicated in this case. It has next been submitted that originally the Vigilance Case No. 09 of 2016 was registered for offence under Sections 7/13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988 and subsequently this case is said to have been registered by the Vigilance being Special Case No. 73 of 2016 arising out of Vigilance P.S. Case No. 135 of 2016 registered under Sections 13(2) r/w 13(1)(e) of the Prevention of Corruption Act, in which the petitioner has also been implicated and, for the first time, the summon was issued to the petitioner in the year 2025 for an allegation of the year 2016 and, thereafter, the petitioner is said to have taken recourse by

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filing anticipatory bail petition before the appropriate court. It has next been submitted that the co-accused, who being the husband of the petitioner, has already been extended privilege of anticipatory bail vide order dated 23.06.2026 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 38081 of 2026 and further the petitioner undertakes to cooperate with the investigation and also to ensure participation in the trial as and when directed. At this stage, counsel for the petitioner to show fairness submits that in case of failure to attend for two consecutive dates, the Vigilance Investigation Bureau may be put at liberty to take recourse for cancellation of bail. Lastly, it is submitted that the petitioner is a lady of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering that the co-accused, who is the husband of the petitioner, has already been extended the privilege of anticipatory bail coupled with the undertaking given by the petitioner and the fact that the petitioner has no criminal antecedents, let the petitioner, above named, be released on anticipatory bail in the event of her arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like

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amount each to the satisfaction of learned P.O., Special Court, Vigilance, Patna in connection with Special Case No. 73 of 2016 arising out of Vigilance P.S. Case No. 135 of 2016, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

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

(ii) the petitioner 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 her bail bond by the Trial Court itself;

(iii) the petitioner 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 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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