

CNR No. DLCT11-000420-2022

CBI V. M. P. Singh & Ors. (Rajesh Mishra)

CBI No. 41/2022, RC No. 06A/1999/CBI/SPE/SILCHAR

15.03.2024

Present: Sh. Praneet Sharma, Ld. Sr. PP for CBI.

Accused Rajesh Mishra on bail with Ld. Counsel

Sh.Kanhaiya Singhal, Sh. Prasanna and Sh.Ajay

Kumar.

Charge under Section 420 and 471 IPC framed against the accused Rajesh Mishra in terms of order on charge dated 08.01.2024 to which accused has pleaded not guilty and claims trial.

On behalf of accused Rajesh Mishra, an application seeking extension of permission to go abroad already granted vide order dated 10.10.2023 has been filed.

Reply to the said application filed by CBI. Copy supplied.

Vide order dated 10.10.2023, accused Rajesh Mishra was permitted to travel USA during the period from 20.10.2023 to 20.04.2024 subject to the conditions stipulated in the order.

During the course of arguments, it is submitted that due to sudden demise of the mother of the accused and in order to perform last rites, he has travelled back to India for the period from 08.03.2024 to 19.03.2024. Ld. Counsel for accused Rajesh Mishra has further argued that conveniently accused may be allowed to visit USA for further six months with effect from 21.04.2024 as accused is gainfully employed there.

Heard. Considered.

In the totality of facts and circumstances, the application is allowed and the accused Rajesh Mishra is permitted to travel to USA during the period from 21.04.2024 to 20.10.2024 on fulfilling the following conditions:

- *Accused shall furnish security in the form of FDR/bank guarantee for a sum of Rs. 2 Lakhs (Two Lakhs Only) in the name of Court i.e. Ld. Principal District & Sessions Judge-cum-Special Judge, CBI, (PC Act), Rouse Avenue District Courts, New Delhi along with one surety bond of Rs.1 Lakh (One Lakh only) to the satisfaction of this Court.*
- *In any eventuality, accused will not request for extension for staying abroad.*
- *He shall neither tamper with the evidence nor try to influence any witness in any manner and will not use the permission granted to him contrary to the rules.*
- *This permission shall be subject to other applicable rules and will not be deemed as directions to any other authority except the permission from the side of the court.*
- *He will submit the address of his stay in USA along with telephone/contact numbers and e-mail address/s.*
- *He will also submit the names and addresses, e-mail addresses and contact numbers of his mother, brothers and married sister.*
- *He will file a special Vakalat of an advocate who shall mention his address, contact number and e-mail address on that special Vakalat and shall appear before the court in his absence and conduct the proceedings in the present case.*

- *His surety / Ld. Counsel will undertake to accept notice(s), if any, on behalf of the accused in his absence.*
- *He will not create any third party interest in any of his immovable properties situated in India or abroad without permission of the court during this period.*
- *Neither he nor his counsel will object to the carrying of the trial/inquiry during the absence of accused.*
- *He shall not dispute his identity during the recording of his evidence.*
- *He shall join the proceedings during evidence through video conferencing.*
- *In case of any of the above conditions are violated, the bank guarantee / FDR / surety bond amount shall be forfeited to the State.*
- *LOC shall remain suspended till 20.10.2024.*
- *The accused shall surrender his passport and OCI Card before the court within 48 hours of his return to India.*

Application is disposed of accordingly.

Put up for prosecution evidence on 25.04.2024, 26.04.2024 and 27.04.2024, at least two witnesses be summoned on each date.

Copy of order be given *dasti* to the applicant/accused.

(Anju Bajaj Chandna)
Principal District & Sessions Judge-
cum-Special Judge (PC Act) (CBI),
Rouse Avenue District Court
New Delhi/15.03.2024