

**IN THE COURT OF SHRI HASAN ANZAR,
SPECIAL JUDGE, PC ACT (CBI-03),
ROUSE AVENUE DISTRICT COURT, NEW DELHI**

*CBI Vs. Rakesh Kumar Mishra @ Laddu Baba & Ors.
CC No. 382/2019*

14.08.2024

Present : Ms. Rohini Anand, Ld. PP for the CBI.
A-1 Rakesh Kumar Mishra @ Laddu Baba (Mobile No. 8840311535) from JC (District Jail Lucknow) – Through VC.
Superintendent Shri Kunwar Virender Vikram Singh and Jail Warden Shri Markandey Singh from District Jail Lucknow – Through VC.
A-7 (Mob. No. 9453864000), A-12 (Mob. No. 8700654487) and A-16 (Mob. No. 9415314150) on bail.
A-10 (Mob. No. 9878713049) on bail – Through VC.
A-2 (Mob. No. 9654405033), A-4 (Mob. No. 9454002529), A-5 (Mob. No. 9719332000), A-6 (Mob. No. 8299741466), A-11 (Mob. No. 8287158566), A-13 (Mob. No. 9999773327) and A-17 (Mob. No. 9670315228) are absent.
None for A-3 (Mob. No. 9838202036), A-8 (Mob. No. 9792821984) and A-9.
Proceedings against A-14 Varinder Singh and A-15 Sunil Kumar Dawar stood abated vide orders dated 25.07.2017 and 09.12.2021.
Sh S.K. Sharma (Mob. No. 8130016500), Ld. Counsel for A-1, A-5, A-6, A-7, A-11, A-13 & A-17.
Shri Rahul Poonia (Mob. No. 9953323099) and Shri Ashish Tiwary, (Mob. No. 9473782141), Ld. Counsels for A-2 and A-10.
Sh Babloo (Mob. No. 9311176941), Ld. Counsel for A-4, A-12 & A-16.

A-1 Rakesh Kumar Mishra @ Laddu Baba duly identified by his counsel Shri S.K. Sharma as well as by Superintendent, District Jail Lucknow.

Ld. Counsel for A-1 after seeking permission of the court has interacted with A-1.

Separate applications seeking exemption from personal appearance have been moved on behalf of A-2, A-4, A-5, A-6, A-11, A-13 and A-17. For the grounds mentioned in the applications, the above-said accused persons are exempted from personal appearance

for today only through their Counsels.

Witness Shri Anil Aggarwal is present for his examination.

It is 10.16 AM. Neither A-3, A-8 and A-9 are present nor their counsels are present.

Be awaited.

At 10.23 AM, Shri S. Prasad (Mob. No. 9311161966), Ld. Counsel for A-3 and A-8 has appeared and filed separate exemption applications on behalf of A-3 and A-8. For the grounds mentioned in the applications, A-3 and A-8 are exempted from personal appearance for today only through their Counsel.

It is 10.30 AM. Neither A-9 nor his counsel is present. It appears that A-9 is taking proceedings in very casual manner as he is neither present physically or virtually. Witness Shri Anil Aggarwal is present since morning.

Subsequently, Ms. Pulak Gupta (Mob. No. 8171831216), Ld. Counsel for A-9 (Mob. No. 7319616605) has appeared before the court and moved an application for exemption of A-9. The application is allowed for the reasons mentioned therein. However, A-9 is directed to remain careful in future and shall make himself available at the first call.

All the accused persons are directed to ensure that they appear in the court on time on each date of hearing.

PW-98 Shri Anil Aggarwal is examined, cross-examined and discharged.

Summon sent to witness Shri Vikas Vohra is received back with the report that he has left the given premises ten years ago and his present whereabouts are not known.

Ld. PP for the CBI submits that application under section 311 Cr.P.C. is pending and the same may be taken up on the next date of hearing.

Witnesses Shri Kaushal Kumar Mishra, Shri Ch. E. Sai Prasad (from CFSL), Shri P. Vijaya Shankar (from CFSL), Shri Harish Chandra Tiwari (PW-93), Shri Piyush Tandon (LW-12) be summoned for the next date of hearing. CBI is directed to make efforts to trace the addresses of witnesses Shri Jai Prakash Narayan and Shri Vikas Vohra and file the status report on the next date.

Issue production warrant against A-1 R.K. Mishra @ Laddu Baba for the next date of hearing. Jail Superintendent, Lucknow District Jail is directed to physically produce A-1 in the court on the next dates of hearings. Jail Warden Sh. Markandey Singh is apprised of the next date of hearings and is also directed to produce the accused physically and in case of any difficulty, the accused R.K. Mishra @ Laddu Baba may be produced through Video Conferencing.

Put up on **6th and 7th September 2024** for P.E.

The following witnesses shall be examined on the

scheduled dates and the summons be issued accordingly.

Sl. No.	Date Fixed	Witnesses to be examined
1.	06.09.2024	Shri Ch. E. Sai Prasad (LW-125) alongwith relevant record from CFSL and Shri Kaushal Kumar Mishra (LW-49).
2.	07.09.2024	Shri P. Vijaya Shankar (LW-126) alongwith relevant record from CFSL, Shri Harish Chandra Tiwari (PW-93) and Shri Piyush Tandon (LW-12).

All the above-mentioned witnesses are directed to be served through the concerned IO/SP. Notice be also issued to MHC(M) to remain present alongwith the case properties on the dates fixed. Ahlmad is also directed to annex the copy of the respective report alongwith the summons. Director, CFSL is directed to ensure that requisite record is made available to the witnesses on the dates fixed.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/14.08.2024