

CBI Vs. Rakesh Kumar Mishra @ Laddu Baba & Ors.

CC No. 382/2019

Date of Institution : 31.08.2009

21.02.2025

Present :

Shri M.S. Mann, Ld. PP for the CBI.

A-6, A-9, A-11 and A-13 on bail.

A-2 to A-5, A-7, A-8, A-10, A-12, A-16 and A-17 on bail –
Through VC.

None for A-1 Rakesh Kumar Mishra @ Laddu Baba.

***Proceedings against A-14 and A-15 stood abated vide orders
dated 25.07.2017 and 09.12.2021 respectively.***

There was no appearance on behalf of A-9 Anil Kumar Mandal and A-11 Manoj Kumar Shukla on 20.02.2025. Today, A-9 and A-11 are present in person and A-9 Anil Kumar submits that yesterday i.e. 20.02.2025 he had come from Katihar, Bihar and the train reached late and therefore, he could not appear in the court in time and had appeared in the court at 03.30 PM, whereas A-11 Manoj Kumar Shukla submits that yesterday i.e. 20.02.2025 he could not come to court as he was under the impression that the date fixed in the matter was 21.02.2025. A-9 and A-11 are warned to remain careful in future, however, due to their absence, they are burdened with costs of Rs.500/- each, to be paid to PW-4 Shri Yudhishter Pathak.

Witness Shri Varun Gulati is present and it is revealed that A-1 Rakesh Kumar Mishra @ Laddu Baba is not present and one of the co-accused states that A-1 is putting up his appearance in a court at Basti. A-1 Rakesh Kumar Mishra @ Laddu Baba was present yesterday but he did not have the courtesy to inform the court about his non-appearance and moreover, he also did not attend the proceedings through Video Conferencing. In these circumstances issue Bailable Warrant in the sum of Rs.500/- against A-1, as well as the show cause as to why a cost of Rs.10,000/- be not imposed on him, to be executed through concerned

SP, CBI, returnable for **07.03.2025**.

Bailable warrant and notice under section 389 BNSS (corresponding to Section 350 Cr.P.C.) was issued against the witness Shri Varun Gulati vide order dated 16.01.2025. Witness Shri Varun Gulati submits that on 15.01.2025, he could not attend the proceedings as he was in PS Tilak Nagar regarding some inquiry and prays for discharge of show cause and a written reply is also filed to this effect. In view of the reasons explained in the reply, the show cause stands discharged.

PW-108 Shri Varun Gulati is examined and discharged in view of the observation made in the deposition sheet of the witness.

Summon sent to Shri Vikash Vohra (LW70) was received back with the report that Shri Vikash Vohra is not traceable. CBI to take appropriate steps qua this witness and file status report on next date of hearing.

Put up on **28.03.2025** for cross-examination of PW-4 Shri Yudhishter Pathak as well as consideration on the application under section 457 BNSS. All the accused persons are directed to remain physically present on the date fixed i.e. on 28.03.2025.

Issue notice to the In-charge of Malkhana and the System Division to depute an official who should be present alongwith the case properties such as laptop, write blocker and speakers to play the audio recordings in the Court on the scheduled dates.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.02.2025.