

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

CC No. 382/2019

Date of Institution : 31.08.2009

21.07.2025

Present : Shri S.H. Zaidi, Naib Court for the CBI.
MHC(M) Shri Purushottam Singh and Shri Rohit Kumar
from System Division alongwith case properties.
A-1, A-2, A-8, A-9, A-10 on bail – Through VC.
A-4, A-11 and A-13 on bail.
A-3, A-5, A-6, A-7, A-12, A-16 and A-17 are absent.
***Proceedings against A-14 and A-15 stood abated vide orders
dated 25.07.2017 and 09.12.2021 respectively.***
Shri Deepak Sharma and Shri Rahul Punia, associate counsel for Shri
S.P.M. Tripathi, Ld. Counsel for A-2, A-4 and A-10.
Shri Umakant Kataria, Ld. Counsel for A-9 – Through VC.
Shri Shambhu Kumar, Ld. Counsel for A-12 and A-16

Separate applications seeking exemption from personal appearance have been moved on behalf of A-3, A-5, A-6, A-7, A-9 A-12, A-16 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 Counsel.

Witnesses Shri Surender Kumar Sharma (LW-84) and Shri Vikas Vohra are present. Some of the Ld. Counsels for the accused persons are not present. Accused persons are directed to ensure the presence of their respective counsels.

It is informed that Ld. PP for the CBI is on his way to the court.

Be put up at 10.30 AM.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.07.2025

21.07.2025 (At 10.30 AM)

Present : As before (*Now Shri M.S. Mann, Ld. PP for the CBI, Shri S.P. Prasad, Ld. Counsel for A-3 & A-8, Shri S.K. Sharma, Ld. Counsel for A-1, A-5, A-6, A-7, A-11, A-13 and A-17, Shri S.P.M. Tripathi, Ld. Counsel for A-2, A-4 and A-10 have joined the proceedings*).

PW-116 Shri Vikas Vohra and PW-117 Shri Surender Kumar Sharma are examined, cross-examined and discharged.

LW-125 Shri Ch. E. Sai Prasad was served for 17.07.2025 but he was not present on the said day and a separate request was made for fixing another date. The witness has requested for dates i.e. 9th/23rd August, 2025. 9th of August, 2025 is Second Saturday and accordingly, the summons be issued to LW-125 Shri Ch. E. Sai Prasad to appear physically before the court. It is also relevant to mention that on 31.05.2025 it was submitted by the Ld. PP for the CBI that the witness is required to be examined physically. The CBI is directed to coordinate with Diector, FSL as well as the witness that his physical presence is required and the absence of the witness is delaying the trial and the witness shall remain present positively on 22nd and 23rd August, 2025.

The summons to Shri Ch. E. Sai Prasad (LW-125) shall be sent at his residential address as well as through the Director, CFSL clearly detailing the details of case number so that relevant record could be produced on the scheduled dates.

Summons sent to LW-122 Shri Narender Bahadur Singh for 16.07.2025 were received back unserved with the report that the present

whereabouts of LW-122 Shri Narender Bahadur are not known.

Prosecution is directed to take appropriate steps for tracing out the present whereabouts of LW-122 Shri Narender Bahadur Singh and file a status report in this regard within ten days so that he can be summoned for the next date of hearing. Meanwhile, also issue summons to LW-122 Shri Narender Bahadur Singh at his last known address or at the fresh address which may be supplied by the prosecution. Issue summons to IO/Inspector Suman Kumar to remain present in the court on the next dates of hearings.

Ld. Counsels for the accused persons admit the factum of recording of statements by the then respective Ld. Metropolitan Magistrate(s) recorded under section 164 Cr.P.C. of Shri Rajender Pratap Singh vide Ex.PW14/E (D-325), statement under section 164 Cr.P.C. of Shri Sunder Singh vide Ex.PW11/F (Part of D-326), statement under section 164 Cr.P.C. of Shri Surender Kapoor son of Shri Narender Kapoor vide Ex.PW13/A (Part of D-333) and statement under section 164 Cr.P.C. of Shri Harish Chand Tiwari vide Ex.PW93/A (D-324), except the allegations and the contents mentioned therein. Separate joint statement of the Ld. Counsels for the accused in this regard is recorded.

Ld. PP for the CBI submits that there is no need to examine witnesses at Sr. No. 138, 139, 140 and 141. In view of the joint statement of Ld. Counsels for the accused persons, witnesses cited at Sr. No. 138, 139, 140 and 141 are dropped from the list of witnesses.

Put up on **22.08.2025 and 23.08.2025** 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.	22.08.2025	LW-125 Sh Ch. E. Sai Prasad, (LW-122), Shri Narender Bahadur Singh and IO/Inspector Suman Kumar.
2.	23.08.2025	LW-125 Sh Ch. E. Sai Prasad, (LW-122), Shri Narender Bahadur Singh and IO/Inspector Suman Kumar.

IO be also summoned for the dates fixed.

Copy of order be attached with the summons to be sent to LW-125 Shri Ch. E. Sai Prasad and one copy of the order be also sent to the Director, CFSL.

(HASAN ANZAR)
Special Judge (PC Act) CBI-03,
RADC/New Delhi/21.07.2025