

**IN THE COURT OF SH. VISHAL GOGNE,
SPECIAL JUDGE (PC ACT) (CBI)-24 (MP/MLA CASES)
ROUSE AVENUE DISTRICT COURT, NEW DELHI**

**CNR No.DLCT11-000125-2019
CC No.01/2020
CIS No. 55/2019
CBI Vs. Lalu Prasad Yadav & Ors.
RC No.220 E 0013/2017
PS : CBI/EO-II/ND
under Section 120-B r/w Section 420 IPC
& Section 13 (2) r/w 13 (1) (d) of the PC Act
I.A. No. 08/2024**

(Hybrid Hearing)

09.09.2024

Present : Sh. D.P. Singh, Ld. Sr. Advocate and SPP for CBI (through VC) along with Sh. Manu Mishra, Ld. Advocate for CBI.
Sh. Akhilesh Singh, Ld. Counsel for applicant/accused Tejashwi Prasad Yadav (A-3).

1. Submissions have been heard on an application moved by applicant/accused no. 3 Tejashwi Prasad Yadav.
2. Vide this application, the applicant seeks permission for travelling to Dubai from 18.09.2024 to 08.10.2024 with his family for a family vacation. It is submitted that the applicant is currently the Leader of Opposition in the state of Bihar and there is no apprehension of him absconding from India.
3. The CBI submitted in response to the above application that the allegations relating to Sections 13(2) r/w 13(1)(d) of the PC Act against the applicant and other accused persons are grave in nature.

4. The CBI has next stated in response to the prayer of accused no. 3 for travel to Dubai that material particulars regarding the said travel and stay arrangements have not been provided by the applicant and that there is no particular necessity for the applicant to undertake the travel in question. It has been further submitted by the Ld. Counsel for the CBI that any plea for such travel be subjected to reasonable restrictions.
5. The court has considered the submissions.
6. It is apparent from a perusal of the record that permission has previously been granted to applicant /accused no. 3 for his repeated foreign visits for various purposes.
7. The gravity of the allegations is by itself not reason to deny foreign travel to an accused who is on bail.
8. The court may also address the objections of the CBI with reference to the want of particulars of the exact dates of travel and the lodging details of the applicant. It is to be observed that the right to travel is an intrinsic right enjoyed by any person, including an accused. Such rights ought not to be curtailed by way of uncalled monitoring of the personal travel related planning and details of accused persons. The court does not find merit to the omnibus objection from the CBI to the effect that the ends of justice would be frustrated if the application is allowed. Besides, the applicant can be required, as was the condition imposed qua the previous foreign travel, to inform the court about his travel itinerary and the details of his stay abroad prior to his travel abroad.

9. The prayer for permission to visit the above country during the stated duration is liable to be allowed and the passport of accused no. 3 is thus to be released to him to enable the said travel.

ORDER

10. Applicant/accused No. 3 Tejashwi Prasad Yadav is granted permission for travelling to **Dubai from 18.09.2024 to 08.10.2024** subject to the following conditions :-

1. *That applicant/accused No.3 Tejashwi Prasad Yadav shall furnish FDR for a sum of Rs. Twenty Five Lacs (Rs.25 lacs) which shall be subject to forfeiture in favour of Government of India in case applicant/accused No.3 violates any of the conditions of this order.*
2. *That the applicant/accused No.3 shall inform the court about his travel itinerary including placing on record the details of his stay in Dubai, the contact number to be used by him during the said period in Dubai prior to his travel abroad. He will also provide a mobile number on which he can be contacted during this period.*
3. *That applicant/ accused No.3 shall inform the court about his arrival in India within 48 hours of his return and shall surrender his Passport after renewal of the same.*
4. *In any eventuality, applicant/accused No.3 shall not request for extension of his stay abroad.*

5. *That applicant/accused No.3 shall not tamper with evidence or influence witnesses in any manner and shall not use the permission granted to him in any manner which is contrary to the rules.*
6. *This permission shall be subject to other applicable rules and shall not be deemed as a direction to any other authority.*
7. *During his stay abroad, applicant/accused No.3 shall be represented before the court by his counsel and no adjournment shall be requested on his behalf due to his absence.*

11. The application is accordingly allowed.

12. Let a copy of this order be given dasti to the Ld. Counsel for applicant/ accused No.3 and Ld. SPP for the CBI.

(Vishal Gogne)
Special Judge [PC Act][CBI]-24
(MP/MLA cases), RADC),
New Delhi/09.09.2024