

**GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA**

UNSTARRED QUESTION NO:4420
ANSWERED ON:21.12.2011
COURT OVER RULING OF CBI REPORT
Rajaram Shri Wakchaure Bhausahab

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

- (a) whether the courts over-ruling against CBI's detention of persons in judicial custody for want of sufficient basis/ground is increasing;
- (b) if so, the reaction of the Government thereto;
- (c) whether the Government has taken or proposed to take any steps to avoid arrest of people without sufficient evidence in view of the observation of the Courts against CBI; and
- (d) if so, the details thereof?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office.
(SHRIV. NARAYANASAMY)

(a) & (b): CBI arrests various accused persons during the course of investigation of the cases depending upon available evidence and requirement of the case. In some cases, after police custody/remand, the arrested persons are sent to judicial custody. The detention of the accused persons and bail granted to them is a part of individual case record and the same is not maintained centrally. However, as per section 167 Cr.PC, the arrested person is enlarged on bail by the Courts, if the police report is not filed in the competent court within a period of 90 days & where it relates to an offence punishable with death, imprisonment for life or imprisonment for a term of not less than ten years & in other offences if the police report is not filed within a period of 60 days.

(c) & (d): CBI conducts searches at various places, from time to time, during investigation in accordance with law, depending on requirement of the cases & seize incriminating documents & assets. The details of raids/ searches conducted are a part of individual case records and such data is not maintained centrally.