

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE,
BHUBANESWAR.

Present:-

Shri M. K. Mishra, LL. B,
Addl. Sessions Judge, Bhubaneswar.

CRIMINAL TRIAL NO.93 OF 2014

(Arising out of Bhubaneswar Chandaka
P.S. Case No.119/2013, corresponding to
G.R.case No.789/ 2013,committed by the
SDJM,Bhubaneswar)

Date of argument-25.11 2014

Date of Judgment- 27.11. 2014

- S t a t e -

- V e r s u s -

Bankanidhi Nayak, aged about 53 years, S/o:
Late Bhaskar Nayak, of Paikarapur,
P.S.Chandaka, Dist: Khurda.

.....Accused.

Counsel for the prosecution : Sri A.K.Pattnayak, Addl. P. P

Counsels for the defence : Sri S.P.Rout,SDC.

Offence U/ss.: 302 of IPC.

J U D G M E N T

The accused of this case namely: Bankanidhi
Nayak is facing his trial being charged U/s. 302 of the Indian
Penal Code (hereinafter referred as IPC) for committing the
murder of his own wife Manju Nayak.

2. The case of the prosecution in short is that the

informant Arati Nayak is the only daughter of the accused and the deceased. On dtd.3.12.2013 the informant had lodged a written FIR before the IIC, Chandaka P.S informing that, during the intervening night of 2/3.12.2013 the accused and the deceased alongwith the grand-mother of the informant, and the informant herself and her husband had taken their food during the night, and they all went to sleep. The informant alongwith her husband and their minor son slept together in one room. The accused and the deceased and the grand-mother of the informant who is the old mother of the accused slept in the adjacent room in the case house. The case house is located in village Paikarapur. At about 4 AM the accused had got up from the sleep, and requested the informant to prepare tea for him. Accordingly, the informant got up, and she tried to call her mother. While her mother did not respond, she came outside the room, and at that moment, the accused had informed her that he had killed his wife. He also requested her not to disclose the fact to any other person. The informant first of all, did not believe the words of the accused. On being asked, the accused further stated that he had committed the murder of the deceased by pressing her neck. The informant then entered inside the spot room and found that her mother was lying dead, and there was oozing of blood from her mouth. She then immediately informed the matter to her husband, and thereafter she called her cousin brother and younger uncle. After they were called, the accused tried to

flee away. But the persons in the locality had managed to catch hold him. It is further narrated in the FIR that prior to the occurrence, the accused was affected with mental abnormality, for which he was being treated since about four days. Basing on the FIR, the IIC, Chandaka PS had registered PS Case No-119 dtd.3.12.2013 U/s.302 of I.P.C and took up the investigation of this case. During course of investigation of this case, the IO had examined the complainant, visited the spot, conducted the inquest in presence of the witnesses, prepared the inquest report, seized the wearing printed saree and white coloured saya and blouse and the command certificate, and nail clippings of the deceased in presence of the witnesses, prepared the seizure list, sent the dead body to the Capital Hospital, Bhubaneswar for post-mortem examination, seized one Kantha and a pillow and a blue coloured printed lungi of the accused and one full shirt and a napkin belonging to the accused including one shawl and prepared the seizure list in presence of the witnesses, received the Post mortem report, recorded the statement of the seizure witnesses, and other relevant witnesses who belonged to the case locality, arrested the accused, and forwarded him to the court. On completion of investigation, submitted Chargesheet against the accused U/s.302 of I.P.C. The seized cotton kantha, pillow, lungi, full shirt, towel and shawl, and the wearing apparels of the deceased, and her nail clippings were sent to the SFSL, Rasulgarh, Bhubaneswar for chemical

examination. Basing on the chargesheet, the Ld. Lower court has taken cognizance of the offence, and the accused was committed to the court of Sessions. The case was transferred to this court from the court of Sessions. Accordingly charge was framed against the accused U/s.302 of I.P.C in accordance with law and the hearing was taken up. Hence, this case.

3. The Plea of the accused is that of complete denial of prosecution story. At the time of argument, the Ld. SDC appearing for the accused has taken the plea by submitting that the accused is a lunatic, and that being a lunatic, he has not committed any offence.

4) Considering the facts and circumstance of this case, the point for determination in this case is:-

- i) Whether on the intervening night of 2/3.12.2013 in village: Paikara Pur in dwelling house, the accused had committed murder of his wife Manju Nayak by throttling her neck with the intention of causing her death and thereby he committed her murder?

5. In order to prove it's case, prosecution has examined as many as 16 nos. of witnesses. Out of whom, the P.W.1 is the informant, who is also the daughter of the accused as well as the deceased. The P.W.2 Mithun Samantaray is the husband of the informant, the P.W.3 is the cousin brother of the informant, the P.W.4 is the agnatic brother of the

accused, the P.W.5 belongs to the case locality who was informed about the occurrence by the informant, the P.W.6 is the younger brother of the accused, the P.W.7 is the uncle of the informant, the P.W.8 belongs to the case locality who was informed about the occurrence by the informant, the P.W.9 is a seizure witness belonging to the case locality and so also the P.W.10, P.W.11. The P.W.12 is one of the uncles of the informant, the P.W.13 is the aunt of the informant, the P.W.14 is the Medical Officer, Capital Hospital, Bhubaneswar who had conducted the post mortem examination in respect of the dead body of the deceased, the P.W.15 is the then IIC, Chandaka PS, who received the FIR, registered the case and proceed with the investigation of this case and the P.W.16 is the successor of the P.W.15 and who took charge of the investigation of this case from him and submitted the chargesheet against the accused on completion of investigation.

On the other hand, no witness has been examined on behalf of the accused. Similarly Ext.1 to Ext.13 series are marked on behalf of the prosecution which include the FIR, Formal FIR, the inquest report, the seizure list relating to the seizure of the wearing apparels of the deceased lady and the nail clippings, the command certificate, the seized kantha, shawal etc, the post mortem report, the dead body challan, the spot visit report etc. On the other hand, no documentary evidence is adduced on behalf of the accused. No MO is marked on behalf of the prosecution or the

defence.

6. Considering the aforesaid facts and circumstances of this case and existing materials, it is found that the informant is the most important witness as because she was the first person who came to know regarding the occurrence. It is important to mention here that the informant is the only daughter of the accused as well as the deceased. Her evidence discloses that the accused was suffering from mental disorder for which he was under treatment at the instance of the deceased. During the relevant period as the mental condition of the accused was not conducive for that the deceased had requested her to come to the house in order to help her in taking care of the accused. Accordingly, she came to the spot house where her parents were residing, located in Paikarapur. She had further deposed that on 2.12.2013 during night time her parents and she herself and her family had taken their night meal and slept as usual. At about 4 AM, the accused had called her while she was asleep, and requested her to prepare tea for him. She then proceeded to prepare tea and in that process she arrived in the bed room of her parents. The accused then informed her on the way to the kitchen that he had committed the murder of her mother by pressing her neck, and requested her not to disclose the fact to any other person. First of all, the informant could not believe the words. Hence, she called her mother. But as she did not respond nor gave any reply, she found that the head

of the deceased had slipped from the pillow and there was oozing of blood from her mouth, and her nostrils were tainted with blood. She then, went to the house of her elder brother namely: Pravakar Naik, and called her cousin brother Umakanta Naik to the spot. They heard about the occurrence from her. Her paternal uncle Bansidhar Naik arrived at the spot. The informant's husband Mithun Samantaray was present in the spot room. The nearby persons in the locality also arrived in the spot house on hearing about the incident. The informant was instructed to lodge FIR before the police. Then the accused tried to flee away from the spot. But he over powered and apprehended by her paternal uncle and cousin brothers and by nearby persons. Thereafter, she lodged a written report narrating about the occurrence. Police arrived at the spot, examined her, conducted the inquest in respect of the dead body of the deceased. The informant has put her signature alongwith her endorsement in the inquest report in Col-9. The informant was thoroughly cross-examined by the SDC on behalf of the accused. It is revealed from her cross-examination that the case house consisted of two rooms, and the mental condition of the accused was abnormal for which he was under treatment by Dr. Tarapada Ray. She had stated that the accused had called her at about 4 AM on the occurrence date and requested her to prepare tea. The informant has deposed that the mother of the accused was also sleeping inside the spot room where the occurrence

took place. Her evidence indicates that she herself had gone to the PS, and lodged FIR in the PS. Though a suggestion was given to her on behalf of the accused that the accused is innocent and the accused did not say before her to have committed the death of the deceased by pressing her neck, yet she denied the same.

The P.W.2 is the husband of the informant. His evidence indicates that he came to know about the occurrence from the P.W.1 soon after the P.W.1 became aware of the incident being informed by the accused. The P.W.2 further deposed in his evidence that the accused informed him that he had pressed the neck of the deceased and committed her murder. The matter was informed to the neighbours who resided in the same locality. He has also admitted his signature appearing in the inquest report. The cross-examination of P.W.2 indicates that the accused was under treatment of Dr. Tarapada Ray, since his mental condition was abnormal. On the occurrence night, the mother of the accused was sleeping inside the spot room.

The P.W.3 is Umakanta Nayak the cousin brother of the informant. He has corroborated to the testimony of P.W.1 by stating that he was called by the informant who informed him about the occurrence, and regarding the complicity of the accused who had committed the murder of the deceased. He deposed that the wearing apparels of the deceased were seized by the police, and the seizure list was prepared under Ext.3 containing his signature.

The evidence of P.W.4 Purna Chandra Nayak is identical to the evidence of P.W.3. It is also revealed from the cross-examination that the accused was treated much prior to the occurrence. The further cross-examination of P.W.4 indicates that the accused was mad for money.

The P.W.5 has deposed that on the relevant date at about 4 AM on hearing hulla he got up and came out of the house. On seeing him, the informant had revealed that the accused had committed the murder of the deceased lady. Thereafter, he himself and others went to the spot house and found that the deceased lady was lying dead, and many persons had gathered there including police. The said witness further deposed that the informant had ascertained from the accused as to why he had committed the murder of the deceased to which the accused informed that as the deceased lady refused to prepare tea for him for that, he became annoyed and committed her murder of the deceased by throttling her neck. The cross-examination of the witness indicates that while he entered into the spot house, he found the accused was sitting on the spot verandah. The accused is also his agnatic brother.

The P.W.6 has deposed that after he got up, she was informed by the informant that the accused had committed the murder of the deceased. The P.W.6 had gone to the spot house and found the dead body and she marked oozing of blood. The cross-examination of P.W.6 indicates that the accused was under treatment even on the date of

occurrence, and he was abnormal since three to four months, and the fact has not been informed to police.

The P.W.11, the P.W.12, the P.W.13 are also identical in nature like the P.W.2 to P.W.7.

The P.W.9 belongs to the case locality is a seizure witness. She had admitted regarding the seizure of the wearing apparels of the deceased, and the seizure list was prepared under Ext.3 where she had signed.

The P.W.14 is the Medical Officer who conducted the Post mortem examination. According to her, she had conducted autopsy in respect of the dead body of Manju Nayak, W/o:Bankanidhi Nayak of village: Paikarapur, PS:Chandaka, Dist: Khurda at Capital hospital, Bhubaneswar. On the autopsy she found :

i) one black coloured elliptical on both sides of right and left ala of nose each are 1/4" X 1".

ii) 1/4" X 1" elliptical mark on left ala of nose;

iii) Three scratch mark on the right side of the cheek;

iv) 1" X 1/8" scratch on right side upper part of scapula;

v) 1" X 1/8" elliptical mark found on left upper part of trachea.

All these injuries are ante-mortem in nature. The Medical Officer has found that the left chamber of heart are empty. But the right chambers are filled with blood. The viscera like lungs, liver, spleen and kidneys are congested

in cut section which are of ante-mortem in nature. The cause of death is attributed to asphyxia due to smothering may be homicidal in nature within 12 to 18 hours since the time of examination. The cross-examination of this witness indicates that there are various reasons to cause asphyxia by smothering. She answered saying asphyxia can't be caused due to accidental lying on a bed being tied with the bedsheets and pillow. She denied that the post mortem report was not genuine, and it was been mechanically prepared.

The P.W.15 is the IO of this case who has received the FIR, has registered the case, and conducted the major part of the investigation. He has admitted to have conducted the inquest after visiting the spot, examined the complainant and other witnesses, recorded their statement U/s.161 Cr.P.C, seized the wearing apparels of the accused as well as the deceased and some other articles including the nail clippings of the deceased, and the command certificate, prepared the seizure list, seized kantha, pillow etc. and prepared the seizure list, obtained the signature of witnesses on the seizure list, arrested the accused and forwarded to the court, issued requisition for the post mortem examination of the deceased, received post mortem report, and on being transferred he had given the charge of the investigation of this case to his successor P.W.16.

The P.W.16 in his evidence has deposed that after

receiving the investigation of this case from his predecessor, he re-examined the complainant and other witnesses, sent the exhibits to SFSL, Bhubaneswar for chemical examination and on receiving the final order from the DCP, Bhubaneswar and on completion of investigation of this case, he submitted chargesheet against the accused U/s.302 of I.P.C.

7) Keeping in mind the aforesaid oral evidence and documentary evidence on record, it is found that there is no eye-witness to the occurrence. It has come to the light that in the spot room, the deceased, the accused and the old mother of the accused were sleeping whereas, in the other adjacent room the informant and her husband and her minor son were sleeping together. At about 4 AM, the accused had called the informant and requested her to prepare tea for him. The accused then informed her that he had committed the murder of the deceased lady by throttling her neck. But the informant first of all did not believe the words, and she went near her mother and called her, who did not respond to her call. She found that there was oozing of blood from her mouth, and there was blood stains on the nostrils. As she was satisfied that her mother had died, she immediately informed the matter to her agnatic uncles, and cousin brothers who were residing in the same locality. They immediately arrived at the spot. After their arrival, the informant was instructed to inform the matter to police. At that moment the accused

attempted to flee away. but he was overpowered and caught hold of. The informant then lodged the FIR before the police by personally reaching at the PS, and the case was registered, and police came to the spot, and did the formalities of investigation.

8) While presenting his argument, the Ld. SDC submitted that there is evidence that the accused was suffering from mental disease, for which he was under the treatment of Dr. Tarapada Ray. The evidence of the informant and other witnesses revealed the same thing. According to him as his mental condition was not proper for that he has not committed any such offence. He has further submitted that for the sake of argument even though it is assumed that the accused has committed the aforesaid act, still then, he is entitled to get the benefit of Section 84 of the I.P.C. The Ld. SDC has further submitted that the evidence of the informant is not believable, and that the evidence of other witnesses is based on the evidence of the informant herself who informed them about the occurrence. He has also submitted that the investigation of the case has not been properly conducted, and the IO has not examined the mother of the accused who was present in the spot room on the occurrence night. He has further submitted that there is some material contradiction in the evidence of the informant and that the case of the prosecution is not believable.

On the other hand, the Ld. Prosecutor appearing for

the State has submitted that considering the present facts and circumstances, and the evidence on record, the complicity of the accused is well revealed, and that the accused maybe convicted.

9) I have gone through the rival contention of the parties and perused the evidence on record. The position of P.W.1 who is the daughter of the accused as well as the deceased is impartial in nature, since she is the only daughter of the accused. There is no reason as to why she would depose falsehood against her own father for the commission of murder of her mother. No evidence is coming which could indicate that the P.W.1 was on enemical terms with the accused. Rather evidence is coming that the informant had come to the spot house prior to four days of the occurrence, in order to help her mother in taking care of the accused who was affected with mental abnormality. The other independent witnesses who belong to the case locality are related to the accused since they are his agnatic relation. It is not clear as to why all the witnesses including the informant and the husband of the informant would depose falsehood against him and try to shield the real offender..

10) The Ld. Defence counsel has relied on the dictum of Hon'ble High Court of Orissa in the matter of **Sonia Muduli...Vrs....State of Orissa, reported in 2012(I) OLR-652 wherein the Hon'ble** Court has held that “ *Appreciation of evidence-Appellant was behaving like insane person on certain occasions and was being treated*

for such insanity-As per statement of P.W.7, the brother of the deceased, on the date of occurrence the appellant was behaving like an insane person-He did not run away from the spot after the incident and did not make any false excuse-No motive or deliberation and preparation for commission of the alleged offence-Protection under the Section extended to the appellant". According to him as the conduct of the accused indicates that he was abnormal and suffered from insanity, he may be given to the benefit of Section 84 of I.P.C. The principle is that it is only the legal insanity that furnishes the ground for exemption from criminal liability. In order to constitute legal insanity the unsoundness of mind must be as to make the offender incapable of knowing the nature of the act or that he is doing an act contrary to law."**(Gour Ch. ..Vrs...State, reported in 1989 Crl. Law Journal,1667, Orissa). Moreover in the case of Mehram...Vrs....State reported in 1994 Crl. Law Journal-1897(Rajstan),** it is held that " when the accused immediately after assaulting the deceased with the stick was behaving like normal person and was neither talking in coherent nor behaving abnormally, the plea of insanity is not acceptable. In the present case the evidence appearing in the case record indicate that soon after the occurrence the conduct of the accused mere to be normal, and that he did not behave in an abnormal manner. Moreover, he had made an extra judicial confession before his own daughter(P.W.1) by

stating to have committed the murder of the deceased by throttling her neck. Evidence is coming that the motive of the murder is that while the wife of the accused refused to prepare tea for him, for that he became annoyed and committed her murder by throttling her neck. So, as the conduct of the accused after the occurrence appeared to be normal, in my considered view it is not proper to extend the beneficial provisions of Section 84 of the Penal Code to him.

11) While pressing his argument the Ld. SDC has submitted that the informant is an interested witness who is driven by the emotion after the death of her mother, and that in order to grab the property of her father, she has falsely implicated him in this case, and has deposed in an interested manner.

However, I have gone to a citation i.e. **Sucha Singh...Vrs....State of Punjab, reported in 2003 SCC(Cri.) 1697** wherein the Hon'ble Court has held "relationship is not a factor to affect the credibility of a witness. It is more often than not that a relation could not conceal the actual culprit and make allegations against an innocent person. Foundation has to be laid if plea of false implication is made. In such a cases the court has to adopt a careful approach and analyse the evidence to find out whether it is cogent and credible".

In the present case, it is not clear as to why the informant who is the daughter of the accused would be driven to depose falsehood against him. Rather in my

considered opinion the informant is a natural witness and that she had acted in an impartial manner after the occurrence. There is no reason as to why she would depose falsehood against her father to shield the real offender from being punished. Rather, I am not inclined to accept the submission of Ld. SDC that in order to grab the property of her father, the informant has falsely implicated the accused in this case, in absence of any basis.

12) Admittedly, evidence is coming on record that the mother of the accused was sleeping in the spot room in the same night who was an aged lady. The IO in this case while deposing has admitted that he has not examined the mother of the accused considering her age, and who was not able to speak. The Ld. SDC has submitted that the non-examination of mother of the accused is fatal to the prosecution case, and on that score the accused is entitled for an acquittal. But if the facts and circumstances of this case is judged with the evidence of the informant and other witnesses, it is found that the case rests entirely on circumstantial evidence, as in case, there is no eye-witness to the occurrence. For conviction on circumstantial evidence, the following conditions must be fulfilled.

- 1) the circumstance from which the conclusion of the guilty to be turned should be fully established.
- 2) The facts so established should be consistent not only with the hypothesis of the guilt of the

accused, i.e. to say they should not explainable on any other hypothesis except that the accused is guilty.

- 3) The circumstances should be of conclusive nature and tendency.
- 4) They should exclude every possibility hypothesis except the one to be proved.
- 5) There must be a chain of evidence so complete as not without leaving any reasonable ground for the conclusion consistent with the innocence of the accused, and must show that in all human probability the act must have been done by the accused(Sharad Birdhi Chand Sharda...Vrs....State, AIR 1984 Page-1622. In other words, the circumstance from which an inference as to the guilty of the accused is to be drawn have to be shown to be closely connected with the principal fact sought to be inferred from those circumstances.

In the present case, it is revealed that soon after the occurrence, the accused had informed the P.W.1 admitting to have committed the murder of the deceased. In other words, the aforesaid act of the accused is an extra judicial confession which is a strong circumstance pointing to his guilt. Secondly, the daughter of the accused has deposed in a natural manner pointing to the guilt of the accused. The other independent witnesses of the locality who are his

agnatic relation of the accused have corroborated the testimony of the informant. Moreover, the evidence is coming from the mouth of the informant and the P.W.2 that while the accused tried to flee away from the spot, he was over powered and caught hold of, which an innocent or insane person could not have done. So, this conduct of the accused points the guilt finger towards him. The evidence of the medical Officer reveals that the death of the deceased is attributed to asphyxia, due to smothering. The Post mortem report and the evidence of the doctor corroborates the evidence of the informant regarding the case of the death. So, under this circumstance, I find no reason to discard the evidence of the informant and other witnesses.

13) On behalf of the accused some documents are filed which indicates that the accused was under treatment of Dr. Tarapada Ray. But the said document has not been marked as exhibit, as because no formal evidence was laid on behalf of the accused. So, mere plea that the accused was under the treatment, is not sufficient to believe that the accused was fully insane at the time of the occurrence. Under this circumstance, I am not inclined to accept the view of the Ld. SDC.

14) Hence, going through the materials on record both oral and documentary and taking into consideration the rival contention of the parties, and evidence on record, I am of the opinion that the accused is the author of the crime, and he has committed the murder of his wife while

she was asleep. Accordingly, I am of the opinion that the prosecution has succeeded in proving its case against the accused U/s.302 of I.P.C beyond all reasonable doubt and the accused is found guilty thereunder, and convicted U/s.235(1) of Cr.P.C.

The seized articles if any be destroyed four months after the appeal is over, if no appeal is preferred, if preferred subject to the order of the Appellate Court. beyond all reasonable doubt.

Addl. Sessions Judge,
Bhubaneswar.

15) **Hearing on the question of sentence:**

I have heard the convict and the Ld. SDC and the Ld. Prosecutor of the State regarding the imposition of sentence on the convict. It is submitted on behalf of the convict that he is sole bread earner of his family, and that due to mental disease he had committed the aforesaid act by committing the murder of his own wife and that a lenient view may be taken in imposing the sentence. The Ld. SDC for the convict submitted that in the interest of justice, the convict may be extended with the beneficial provisions of Probation of Offenders Act. But in my considered opinion, the ghastly act of the convict proved in the evidence was of such a magnitude wherein, he had committed the murder of his own wife, I am not in favour of extending any beneficial

Provisions of the P.O. Act. Rather, I am of the opinion the convict should undergo the prescribed sentence in accordance with law. Accordingly, I direct the convict to undergo imprisonment for life and shall also pay a fine of Rs.5000/-, and in default to undergo further sentence of 6 months. The period already undergone by the convict in the jail custody as UTP be set off against the substantive period of sentence.

Addl. Sessions Judge,
Bhubaneswar.

Typed to my dictation, corrected by me and pronounced in the open Court today this the 27th day of November, 2014 given under my signature and seal of this Court.

Addl. Sessions Judge, Bhubaneswar.

List of witnesses examined for the prosecution

P.W.1	Smt. Arati Nayak
P.W.2	Mithun Kumar Samantaray
P.W.3	Umakanta Nayak
P.W.4	Purna Chandra Nayak
P.W.5	Dibakar Nayak
P.W.6	Bansidhar Nayak
P.W.7	Prabhakar Nayak
P.W.8	Sarat Chandra Nayak
P.W.9	Pranakrushna Nayak
P.W.10	Bharat Chandra Nayak
P.W.11	Laxmidhar Nayak

P.W.12 Smt. Sukanti Nayak
P.W.13 Smt. Prema Nayak
P.W.14 Dr. Smt.Mamata Mohanty
P.W.15 Gangadhar Dalei
P.W.16 Bimal Kumar Barik

List of witness examined for the defence

Nil

List of exhibits marked for the prosecution

Ext.1 FIR
Ext.1/1 Signature of P.W.1 on Ext.1
Ext.2 Inquest report
Ext.2/1 Endorsement and signature of P.W.1 on Ext.2
Ext.2/2 Signature of mother of P.W.3 on Ext.3
Ext.3 Seizure list
Ext.3/1 Signature of P.W.3 on Ext.3
Ext.4 : seizure list
Ext.4/1 : Signature of P.W.4 on Ext.3
Ext.4/2 : Signature of P.W.8 on Ext.4
Ext.3/2 : Signature of P.W.9 on Ext.3
Ext.2/4 : Signature of P.W.10 on Ext.2
Ext.2/5 : Signature of P.W.11 on Ext.2
Ext.5 : Post mortem report
Ext.5/1 : Signature of P.W.14
Ext.1/2 : Endorsement on the body of the FIR alongwith
signature of P.W.15
Ext.1/3 : Formal FIR

Ext.1/4 : Signature of P.W.15 on formal FIR
Ext.6 : Spot map
Ext.6/1 : Signature of P.W.15 in Ext.6
Ext.2/6 : Signature of P.W.15 on Ext.2
Ext.7 : Dead body challan
Ext.7/1 : Signature of p.W.15 on Ext.7
Ext.7/2 : Signature of D.K.Behera in Ext.7
Ext.8 : Command Certificate
Ext.8/1 : Signature of P.W.15 in Ext.8
Ext.4/3 : Signature of P.W.15 on Ext.4
Ext.9 : Connecting requisition
Ext.9/1 : Signature of P.W.15 in Ext.9
Ext.3/3 : Signature of G.M.Nayak on Ext.3
Ext.3/4 : Signature of P.W.15 on Ext.3
Ext.10 : Spot visit report
Ext.10/1 : Signature of Scientific Officer Sri P.K.Senapati
Ext.10/2 : Signature of S.K.Dutta
Ext.10/3 : Signature of B.D.Bhoi
Ext.10/4 : Signature of P.W.15 on Ext.10
Ext.11 : Exhibit received by the Director SFSL
Ext.12 : Forwarding letter
Ext.12/1 : Signature of P.W.16 on Ext.12

List of Exts. Marked on behalf of the defence

Nil.

List of M.Os marked on behalf of the prosecution

Nil

List of M.Os marked on behalf of the defence

Addl. Sessions Judge, Bhubaneswar.