

J U D G M E N T

1. The aforesaid accused stood charge for committing the offences punishable u/s.13(1)(d) read with 13(2) and 7 of P.C.Act, 1988.

2. Briefly stated, the case of the prosecution is that the uncle of the complainant who was working as Senior Draftsman in the Office of Chief Engineer, Designs had retired from service since five years preceding the FIR. But his pay leave salary and retirement benefits were not paid to him and the accused who was dealing with the file harassed him and Sri Bipin Bihari Chhotray had paid Rs.1500/- to the accused. Bipin Chhotray became bed-ridden and for that his nephew(complainant) approached the accused on 10.12.01 and the accused demanded a sum of RS.2,000/- to do the work and on request of the complainant, he reduced the demand to Rs.500/-. The complainant lodged FIR before the Vigilance on 12.12.01. During preparation in the Vigilance Office in presence of the Vigilance officials and independent witnesses the complainant narrated the FIR story, produced 5 nos. of 100 rupee G.C.Notes which were smeared with Phenolphthalein powder and its numbers were noted. There was demonstration showing reaction of Phenolphthalein powder in sodium carbonate solution and a preparation report was made and the raid party proceeded to the office of the accused. There the complainant talked with the accused and paid Rs.500/- and on receipt of signal from the over hearing witness, the raid party rushed to the spot, caught hold the

accused, took his both hand wash which turned to pink and seized the tainted notes which the accused kept in his left side Punjabi pocket. The sample wash bottles, tainted notes and connected file were seized and the exhibits were sent for chemical examination.

On 23.12.07 the I.O. submitted final form returning the case as true insufficient evidence. Vide order, dt.21.3.03 this Court held that there are materials to proceed with the case and directed to obtain sanction and the sanction order was obtained on 3.8.04 and thereafter vide order, dt.10.9.04 cognizance of offence was taken resulting this trial.

3. The defence plea is one of complete denial. Further plea of the accused is that leave of Bipin Chhotray was not sanctioned and he had not furnished non-engagement certificate. So, his pension was not finalized. Moreover, on the date of alleged occurrence, a person forcibly thrust the money in his pocket and a false case has been foisted to harass him.

4. The prosecution has examined 5 witnesses whereas the accused has examined only 3 witnesses in support of their respective cases.

5. Points for determination in this case are :-

(i) Whether on 12.12.2001 the accused being a public servant, by corrupt or illegal means and abusing his position obtained for himself pecuniary advantage of Rs.500/- from the complainant for processing the concerned papers of the uncle of the complainant ?

(ii) Whether on the above date at his office the accused accepted Rs.500/- from the complainant as

gratification other than legal remuneration as a motive for processing the concerned papers of the uncle of the complainant ?

6. PW-1 the then Chief Engineer stated that during September, 2003 on receipt of requisition, he perused the FIR, statements of the witnesses and other documents and being satisfied he accorded sanction for prosecution of the accused vide Ext.1. In cross-examination he admitted that he has not noted in the sanction order that he verified the other official file except the documents produced by the I.O.

7. PW-2 the then Jr. Clerk, Office of S.E., Central Irrigation, Bhubaneswar stated that he with PW-3 had been to the office of the DSP, Vigilance where other vigilance staff and the complainant were present. The complainant narrated before others that the accused demanded Rs.2,000/- to pass the pension papers of his uncle, but he agreed to pay Rs.500/- as bribe. The complainant produced 5 nos. of 100 rupee G.C.Notes and the notes were smeared with some powder and he (PW-2) was directed to accompany the complainant as over hearing witness to give signal after payment of money. He proved the preparation report, vide Ext.2. PW-2 further stated that he with PW-3 accompanied the informant to the office of the accused and there the informant talked with the accused. Then they came from the first floor and went to the tea stall. There, the informant and the accused talked with each other and the informant paid money to the accused which the accused kept in his left side shirt pocket and he gave signal. The Vigilance staff came,

caught hold the hands of the accused, took him to the first floor and on challenge by the DSP, the accused admitted to have received the money. His both hand wash was taken and the same turned to pink and the accused produced the tainted money and PW-3 tallied its number which tallied. PW-2 further stated that the I.O. has seized the tainted money, shirt of the accused, sample bottles and the concerned file and prepared a detection report vide Ext.3.

During cross-examination PW-2 stated that one day prior to the incident he received the order from S.E. to go to the vigilance office, but the I.O. had not seized that order. He categorically denied the suggestion that he gave statement in the departmental enquiry and stated in that enquiry that he had not seen giving and taking the money. He also denied the suggestion that the informant had forcibly put the money in the pocket of the accused and when the accused brought the money, the vigilance staff caught him. It is significant to note here that PW-2 has not whispered about any demand made by the accused during the occurrence.

8. It is pertinent to mention here that being confronted with his signature, PW-2 admitted that he had signed on two papers i.e. on 9.10.02 and 5.2.03 and he proved his signatures vide Exts.A/1 and A/2 in the certified xerox copy of the departmental enquiry file(Ext.A) obtained under RTI Act. DW-3 the Enquiring Officer stated that during departmental enquiry he had examined PW-2 on 9.10.02 and 5.2.03. On 9.10.02 PW-2 stated before him that he had not seen any taking over and handing over of Rs.500/- in between the

accused and complainant. DW-3 also stated that on 5.2.03 PW-2 stated before him that by the time of so-called handing over and taking over the money near the tea stall, he (PW-2) was not present there. DW-3 also stated that PW-2 after understanding the contents of the papers had signed before him vide Exts.A/1 and A/2. DW-3 admitted that he had not made any endorsement in the papers that PW-2 after understanding its contents had put his signatures which is insignificant. During his cross-examination, PW-2 stated that DW-3 had sent those papers containing some writings and he had simply signed on those papers as he was asked to sign thereon by his higher authority. PW-2 denied to have given any statement before DW-3 but he admitted that till date he had not reported to the Engineer-In-Chief or to any other higher authority that DW-3 had taken his signatures on 9.10.02 and 5.2.03 on two papers without making him understand about the contents. It is difficult to believe that a Government employee would simply put his signature on some papers without reading and understanding its contents.

9. PW-3 the then Junior Engineer stated that as per direction of S.E., he with PW-2 had been to the Vigilance Office and there before the Vigilance staff the complainant told that the accused was dealing with the file of his uncle Bipin Bihari Chhotray and was demanding Rs.2,000/- as illegal gratification to clear his dues and had asked the complainant to give Rs.500/- on 12.12.2001 as advance to do the work and so saying the complainant gave 5 nos. of 100 rupee G.C.Notes to Vigilance and numbers of those notes were

noted by the Vigilance staff and then demonstration was shown and the currency notes were kept in a four fold paper and given to the complainant to give the same to the accused if he agrees to take the same. PW-2 was instructed to accompany the complainant to give signal. PW-3 further stated that they went to Secha Sadan (Office of the accused) and the complainant and PW-2 proceeded to meet the accused and he(PW-3) waited outside. The complainant and PW-2 brought the accused to a tea stall and after arrival at the tea stall, PW-2 gave signal and getting signal he and other vigilance staff rushed to the tea stall and two vigilance staff caught hold the hands of the accused and took him to his seat and being challenged the accused admitted to have taken Rs.500/- from the complainant. The accused brought out the money and thereafter his both hand wash was taken in chemical solution which turned to pink. PW-3 compared the numbers of notes which tallied. The shirt of the accused, tainted money (M.O.-II), wash bottles and one file relating to Bipin Bihari Chhotray were seized under Exts.4 to 8 and 10 and the brass seal (M.O.-I) was given in his zima.

During cross-examination PW-3 stated that on 11th instant, he had received order of S.E. to go to the Vigilance Office next day and he had taken that order and had shown the same to the SP, but the vigilance people had not seized the same. He also stated that the tea stall was crowded when the vigilance staff apprehended the accused. But they had not called any outsider to witness the search and seizure. PW-3 specifically stated in his cross-examination that he had not

seen if Mantu Chhotray had forcibly put the tainted money in the shirt pocket of the accused and while the accused was bringing out the same to return to Mantu, the vigilance staff caught hold him. He also stated that first two vigilance staff rushed to the tea stall and thereafter he with other vigilance staff went there and by the time of his arrival, the vigilance staff were holding the two hands of the accused. Even PW-3 stated that the accused might not have demanded and accepted the money from Mantu Chhotray and Mantu Chhotray might have put the money forcibly in his shirt pocket.

PW-4, the then Vigilance Inspector stated that he took charge of the investigation from PW-5, seized the service book of the accused vide Ext.11 and released the same in his zima vide Ext.12, sent the exhibits for chemical examination and after completion of investigation, returned the case as final report true insufficient evidence. He further stated that being directed by the SP, Vigilance, he went to Village-Andharua, contacted villagers and local Ward Member and Sarpanch and ascertained that no such person in the name of Mantu Chhotray was staying in that village. He also stated that the wife and son of Bipin Chhotray were staying in that village and they also failed to say about Mantu Chhotray.

10. PW-5 the I.O. has stated that the SP directed him to lay a trap. DSP-P.C.Patra procured two independent witnesses on requisition. On 12.12.2001 he with other vigilance staff and PWs-2 and 3 were in the vigilance office and there the complainant narrated that the accused was

demanding illegal gratification of Rs.2,000/- to regularize the pension papers of Bipin Chhotray and ultimately reduced the demand to Rs.500/- and so saying, the complainant produced 5 nos. of 100 rupee G.C.notes which were smeared with Phenolphthalein powder and demonstration was shown about reaction of Phenolphthalein powder in sodium carbonate solution. The tainted notes were kept in a four fold paper and given to the complainant to hand over to the accused on demand and PW-2 was instructed to accompany the complainant and to witness the transaction and to convey signal. The numbers of G.C. Notes were noted down and a pre-trap memorandum report was given to PW-3 for comparison at the spot. At about 12.20 PM they went to the office of the Chief Engineer and the complainant and PW-2 went to the first floor and at about 1 PM the complainant, PW-2 and the accused went to the tea stall nearby the office and the members of the raid party came to the ground floor and getting signal from PW-2, they went to the tea stall. There the complainant, accused and PW-3 were present. DSP- P.C.Patra introduced himself to the accused and Inspector- S.N.Dixit and ASI- P.K.Lenka caught hold the hands of the accused and brought him to his seat and being challenged, the accused admitted to have accepted Rs.500/- from the complainant to type out the pension papers of Bipin Chhotray. Both hand wash of the accused was taken in sodium carbonate solution which turned to pink. The accused brought out the tainted notes from the leftside punjabi chest pocket and PW-3 compared the numbers which tallied. The wearing

punjabi (M.O.-III) of the accused was seized under Ext.8 and was put to wash and the solution turned to pink. The hand wash bottles, copy of preparation report, seized punjabi, four fold paper and personal file of Bipin Bihari Chhotray were seized and a detection report, vide Ext.3 was prepared and as per the order of the SP, on 13.12.2001 he handed over the charge of the case to PW-4.

During cross-examination PW-5 stated that on 12.12.2001 at about 11.35 AM he received the FIR, but five minutes prior to receiving of the order, requisition was placed through special messenger to Superintending Engineer, Central Irrigation Circle, Bhubaneswar to procure the attendance of the independent witnesses, but he (PW-5) had not seized those requisitions. PW-5 also stated that he accompanied the decoy to the room of the accused, but PWs-2 and 3 have not stated so. PW-5 admitted in his cross-examination that Bipin Bihari Chhotray had not received pensionary benefits and as per the detection report, the pension papers of Bipin Bihari Chhotray was not submitted prior to the date of detection and he also admitted that without submission of pension papers, no benefit can be given to a person. Peculiarly, PW-5 testified that he cannot say if there is no nephew of Bipin Chhotray in the name of Mantu Chhotray. Such version of PW-5 coupled with the fact of non-examination of the complainant-Mantu Chhotray, so also, Bipin Chhotray adversely affects the prosecution case. PW-5 also stated that about 20 to 30 persons were present at the

spot by that time, but he had not examined any other witness including the tea stall owner.

11. DSP, Vigilance- P.C.Patra has not been examined. The so-called requisitions placed by the DSP have not been proved. The special messenger (bearer who took the requisitions to the office of S.E.) has not been examined. On the other hand, PWs-2 and 3 have stated that on 11.12.2001 they were directed by their authority to attend vigilance office on 12.12.2001. The said order has not been seized. It is surprising as to how requisitions were placed before the authority on 11.12.2001 for procurement of independent witnesses though the FIR was registered on 12.12.2001. That apart, Inspector- S.N.Dixit and ASI- P.K.Lenka who had caught the hands of the accused and brought into his office have not been examined. No explanation has been adduced by prosecution for non-examination of the above witnesses.

12. DW-1, a staff of the office of the accused stated that on 12.12.2001 being called by the accused, he with DW-2 went to the tea stall and an unknown person came there and thrust some 100 rupee notes in the shirt pocket of the accused and immediately the accused brought out those notes and told that unknown person "Babu Suna Suna" and that unknown person fled away. At that time, the vigilance personnel came and caught hold the hands of the accused saying that he was taking bribe. DW-1 further stated that the accused told them that he had not taken any bribe and that unknown person had thrust the notes in his pocket. DW-1 further stated that they also told that the unknown person had

thrusted the money in the pocket of the accused but he had not demanded any bribe. In the cross-examination DW-1 stated that he had not given in writing to his the then Chief Engineer or to higher vigilance official about these facts, but he had orally told so to the then Chief Engineer.

13. DW-2, another staff of the office of the accused stated that during the relevant time he was initiating the pension file and moving the same through the accused. Sri Bipin Chhotray had retired from service, but he had not submitted his pension papers as because his leave was not sanctioned and pay fixation was not done. On 12.12.2001 being called by the accused, he with DW-1 and the accused went to the tea stall and by that time the unknown person came there and suddenly thrusted something in the pocket of the accused and immediately the accused brought out some 100 rupee G.C.Notes from his pocket and told that unknown person “E Babu Suna Suna” but that unknown person fled away. By that time, the vigilance staff reached there and caught hold the accused. He also stated that the accused told them that he was innocent and the unknown person had forcibly thrusted the money in his pocket. DW-2 further stated that he with DW-1 also told that fact to the vigilance people, but they did not listen and took the accused to his office room. He categorically stated that till the date of his examination i.e. 14.11.2013 the pension of Bipin Chhotray has not been finalized for want of pay fixation. He stated that he had not given in writing to his official authority or vigilance authority about the fact of thrusting the money.

14. DW-3 the then Director, Support Services and Dam safety, Water Resources Department stated that he was appointed as Enquiring Officer in the departmental enquiry against the accused. He had examined PW-2 on 9.10.02 and 5.2.03 and PW-2 had stated before him that he had not seen any taking over and handing over of Rs.500/- in between the accused and the complainant and he (PW-2) was not present near the tea stall during the time of so-called occurrence. In the cross-examination DW-3 has categorically admitted that he had not given any certificate in the proceeding, dt.5.2.03 that he read over and explained the contents thereof to PW-2 which is immaterial.

15. Learned Special P.P.(Vig.) during course of argument submitted that when DWs-1 and 2 have not reported police or other authorities about the so-called thrusting of money by the informant, they should not be believed. But as discussed above, both DWs-1 and 2 stated in their evidence that by the time of detection both of them had stated to the vigilance people about thrusting of the money by the unknown person in the pocket of the accused. Law is well settled that defence witnesses are entitled to equal treatment with those of the prosecution. And Courts ought to overcome their traditional, instinctive disbelief in defence witness. Quite often, they tell lies but so do the prosecution witnesses(**Vide AIR 1981 Supreme Court, page-911, Dudh Nath Pandey-Vrs.-State of U.P.**).

16. The learned Special P.P.(Vig.) during course of argument placing reliance on a decision reported in **2006(3)**

OCR Page 714 Inspector of Police-Vrs.-A.Parthiban

submitted that every acceptance of illegal gratification whether preceded by demand or not, would be covered by Section 7 of the Act. But if the acceptance of illegal gratification is in pursuance of a demand by the public servant, then it would also fall u/s.13(1)(d) of the Act. The learned Special P.P.(Vig.) further submitted that in detection report (Ext.3) the TLO has categorically mentioned that the accused told that the informant came to him with some papers and handed over to him and he(accused) instructed the informant to come with his uncle after which pension papers will be prepared. He also stated that the informant offered him some money to which he refused to accept. Subsequently, the accused left his seat, went to the ground floor and the complainant followed him and forcibly handed over some money with promise to come on Tuesday with his uncle and he accepted the money and kept the same in his pocket which was subsequently recovered. But neither PWs-2 and 3 nor the TLO (PW-5) during their evidence before Court have stated that the accused had told those facts to PW-5. As such, the version of PWs-2,3 and 5 is quite discrepant to the contents of detection report on which the prosecution lays much emphasis. Adding to this, the DSP, Inspector, ASI and one Constable of Vigilance who had signed on the detection report though cited as chargesheeted witnesses, but have not been examined. No explanation has been adduced by the prosecution for their non-examination. So, adverse inference should be drawn against the prosecution.

17. The learned counsel for the accused during course of argument placing reliance on a decision of the Hon'ble Apex Court reported in **2000 Criminal Law Journal 2273 (Supreme Court) Smt. Meena Balwant Hemke-Vrs.-State of Maharashtra** submitted that the contradictory version of a witness given in the departmental proceeding vis-a-vis the Court renders his testimony untrustworthy. As discussed above, during the departmental enquiry, PW-2 had stated that he had not seen the actual giving and taking of the money in between the informant and the accused. But in his evidence before Court, he has given a contradictory version. Such contradictory version of PW-2 renders his testimony untrustworthy and unreliable.

Law is well settled that before, however, the accused is called upon to explain as to how the amount in question was found in his possession, the foundational facts must be established by the prosecution. Even while invoking the provisions of Section 20 of the Act, the court is required to consider the explanation offered by the accused, if any, only on the touchstone of preponderance of probability and not on the touchstone of proof beyond all reasonable doubt. **(Vide (2009) 44 OCR (SC)-425 State of Maharashtra-Vrs.-Dnyaneshwar Laxman Rao Wankhede).**

18. The learned Special P.P.(Vig.) during course of argument placing reliance on a decision of the Hon'ble Apex Court reported in **AIR 1982 (SC) Page-1511, Kishan Chand Mangal-Vrs.-State of Rajasthan** submitted that though the complainant has not been examined, the evidence of PWs-2

and 3 coupled with the recovery of the money are sufficient to convict the accused. With profound respect to the authority, it is seen that the facts of the cited case are quite distinguishable from the facts of the present case. In that case, the complainant was dead when the case came up for trial. Here, it is not the case that the complainant is dead. The inconsistent version of PW-2 in departmental proceeding vis-a-vis before the Court renders his testimony untrustworthy. PW-3 has not whispered anything about demand or acceptance of the money by the accused to the complainant by the time of alleged occurrence. Here, the complainant has not been examined. It is seen that in the FIR the informant had categorically stated that Bipin Bihari Chhotray retired from service five years preceding to the FIR. He had told to the informant that the accused was harassing him and was not preparing the papers for payment of his dues and he had paid Rs.1500/- to the accused. As such, Sri Bipin Bihari Chhotray was a most important witness to testify about the genesis of the prosecution case i.e. regarding payment of Rs.1500/- by him to the accused. He could have also stated if he had entrusted the informant to look after his pending work with the accused. But for the reasons best known, the I.O. had not even cited him as a chargesheeted witness. Likewise, the file which was allegedly seized from the accused has not been proved by the prosecution. Had the file been proved by the prosecution, it could have thrown light whether any work of Bipin Chhotray was pending with the accused and if so, at what stage the work was pending. It may be reiterated here

that PW-5 himself in his evidence stated that he cannot say if there is no nephew of Bipin Chhotray in the name of Mantu Chhotray. It may also be noted here that initially the I.O.(PW-5) had returned the case as true insufficient evidence. That apart, the plea of the accused that the money was thrust by the complainant in his pocket has been corroborated by the version of DWs-1 and 2 and the same has not been disproved by the prosecution through clinching evidence. As such, the defence plea cannot be said to be wholly improbable. Besides this, in view of the discrepancies and infirmities discussed above, the prosecution case seems to be doubtful.

19. Therefore, after analysing the evidence on record and for the reasons discussed above, I am inclined to hold that the prosecution has failed to prove its case against the accused for commission of the offences punishable u/s.13(1)(d) read with 13(2) and 7 of P.C.Act, 1988 beyond all reasonable doubt and the benefit of such doubt should be extended in favour of the accused.

In the result, the accused is found not guilty of the offences

u/s.13(1)(d) read with 13(2) and 7 of P.C.Act, 1988 and acquitted u/s.248(1) of Cr.P.C. and set at liberty. His bail bond be cancelled and surety discharged.

The seized tainted money (M.O.-II) be confiscated to the state. The seized bottles(M.Os.-IV to IX), the Punjabi (M.O.-III) be destroyed. The brass seal(M.O.-I) be returned to the SP,Vigilance. The Zimanama be cancelled. Order

regarding disposal of property shall take effect four months after expiry of the appeal period if no appeal is preferred and in case of appeal subject to the decision of the Appellate Court.

Judge(Vigilance),
Special
Bhubaneswar.

The judgment having been typed to my dictation and corrected by me and being sealed and signed by me is pronounced in the open court today this the 26th day of December, 2013.

Judge(Vigilance),
Special
Bhubaneswar.

List of witnesses examined for the prosecution :

P.W.1 Jagdish Prasad Samantaray.
P.W.2 Sunil Kumar Ray.
P.W.3 Kedar Kishore Baliarsingh.
P.W.4 Mayadhar Swain.
P.W.5 Jatindra Kumar Das.

List of witnesses examined for the defence :-

D.W.1 Bidyadhar Mallick.
D.W.2 Sirish Ray.
D.W.3 Paresh Chandra Dash.

List of exhibits marked for the prosecution :-

Ext.1 Sanction Order.
Ext.1/1 Signature of PW-1 in Ext.1.
Ext.1/2 Forwarding Letter.
Ext.2 Preparation Report.
Ext.2/1 Signature of PW-2 in Ext.2.
Ext.3 Detection Report.

Ext.3/1	Signature of PW-2 in Ext.3.
Ext.3/2	Signature of the accused.
Ext.4	Seizure list.
Ext.4/1	Signature of PW-2 in Ext.4.
Ext.4/2	Signature of the accused.
Ext.5	Seizure list.
Ext.5/1	Signature of PW-2 in Ext.5.
Ext.5/2	Signature of the accused.
Ext.6	Seizure list.
Ext.6/1	Signature of PW-2 in Ext.6.
Ext.6/2	Signature of the accused.
Ext.7	Seizure list.
Ext.7/1	Signature of PW-2 in Ext.7.
Ext.8	Seizure list.
Ext.8/1	Signature of PW-2 in Ext.8.
Ext.8/2	Signature of the accused.
Ext.9	Seizure list.
Ext.9/1	Signature of PW-2 in Ext.9.
Ext.10	Seizure list.
Ext.10/1	Signature of PW-2 in Ext.10.
Ext.10/2	Signature of the accused.
Ext.2/2	Signature of PW-3 on Ext.2.
Ext.3/3	Signature of PW-3 on Ext.3.
Ext.4/3	Signature of PW-3 on Ext.4.
Ext.5/3	Signature of PW-3 on Ext.5.
Ext.6/3	Signature of PW-3 on Ext.6.
Ext.7/2	Signature of PW-3 on Ext.7.
Ext.8/3	Signature of PW-3 on Ext.8.
Ext.10/3	Signature of PW-3 on Ext.10.
Ext.11	Seizure list.
Ext.11/1	Signature of PW-4 on Ext.11.
Ext.12	Zimanama.
Ext.12/1	Signature of K. Ray on Ext.12.
Ext.12/2	Signature of PW-4 on Ext.12.
Ext.13	F.I.R.
Ext.13/1	Endorsement along with signature of the S.P.
Ext.13/2	Endorsement with signature of O.I.C.
Ext.13/3	Formal F.I.R.
Ext.13/4	Signature of the O.I.C.-B.B.Mallick.
Ext.2/3	Signature of PW-5 in Ext.2.
Ext.2/4	Signature of the complainant in Ext.2.

Ext.2/5	Endorsement & signature of K.K. Baliarsingh in Ext.2.
Ext.14	Copy of pre-memorandum trap.
Ext.15	Four fold paper.
Ext.15/1	Signature of PW-5 in Ext.15.
Ext.15/2	Signature of Mantu Chhotray.
Ext.16	Chemical Examination Report.
Ext.3/4	Signature of PW-5 in Ext.3.
Ext.3/5	Signature of Mantu Chhotray in Ext.3.
Ext.4/4	Signature of PW-5 in Ext.4.
Ext.5/4	Signature of PW-5 in Ext.5.
Ext.6/4	Signature of PW-5 in Ext.6.
Ext.7/3	Signature of PW-5 in Ext.7.
Ext.8/4	Signature of PW-5 in Ext.8.
Ext.9/2	Signature of PW-5 in Ext.9.
Ext.10/4	Signature of PW-5 in Ext.10.

List of exhibits marked for the defence :-

Ext. A	Copy of the enquiry report obtained under RTI Act.
Ext. A/1	Signature of PW-2 on Ext. A.
Ext. A/2	Signature of PW-2 on Ext. A.
Ext. A/3	Signature of DW-3 on Ext. A.
Ext. A/4	Signature of DW-3 on Ext. A.

List of M.Os. marked for the prosecution :-

M.O.- I -	Brass Seal.
M.O.- II -	Tainted Notes.
M.O.-III -	The wearing apparels (Punjabi).
M.Os.-IV to IX -	Six numbers of bottles.

List of M.Os. marked for the defence :-

Nil.

Special Judge(Vigilance),
Bhubaneswar.

