



All the accused persons stand charged u/s. 120-B, 420, 468 and 471 Indian Penal Code (IPC) while accused Chaitan Badi and Deepankar Mishra are further indicted u/s. 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 (P.C.Act).

**2.** Precisely, the prosecution case is that in the month of January, 2007 in Canara Bank, Bisra Road Branch, Rourkela accused Chaitan Badi was serving as the Branch Manager while accused Deepankar Mishra was an officer. Accused Mrutyunjaya Narayan Jena was an inhabitant of that locality and was the proprietor of Utkal Fabrication and Engineering Works, Rourkela and had opened one current account No. C.A. -707 in the said branch on 2.1.2007.

**(2-A)** All the accused persons, being officers of the Bank and the proprietor of the firm, hatched a criminal conspiracy and in furtherance of such, the proprietor Mr. Jena applied for a loan on 5.1.2007 of Rs.12,00,000/- under Credit Guarantee Fund for Small Industries (CGFSI) scheme for modernization of his firm. The Manager Sri Badi and officer Sri Deepankar Mishra verified the credit worthiness submitting credit investigation report and on 6.1.2007 sanctioned/ disbursed the loan of Rs.10,00,000/-. The proprietor Sri Jena withdrew such amount and mis-utilised the same. For such encashment, during the period from 9.1.2007 to 5.5.2007, Sri Jena had issued 12 numbers of cheques in favour of different firms. As the accused-firm did not repay the loan, the overdraft account no.10142 was declared Non-Performing Assets on 1.1.2008 and the outstanding accumulated to Rs.11,63,350/- . On verification, it was found that the firm of Sri Jena was non-existent and the functional address given as at NAC Plot No.4 and 5 near Ice-factory Nayabazar, Rourkela was incorrect. There was no pre-sanction verification. The documents submitted with loan

application were forged. There was no monthly stock verification report.

**(2-B)** On the basis of reliable information, the Supdt. of Police, C.B.I. Bhubaneswar registered R.C. No. 18 dated 28.7.2009 and directed Sri S.B.Mishra, Inspector (P.W.23) to take up investigation. In course of investigation, the witnesses including guarantors were examined and documents were seized. The statement of Sri Deepankar Mishra on being sponsored by prosecution was recorded u/s. 164 Cr.P.C. For both public servant accused persons, the Manager and Officer, sanction order u/s. 19 of the P.C.Act from Asst. General Manager was obtained on 1.9.2010. Police report u/s. 173(2) Cr.P.C was submitted basing upon which court took cognizance on 29.9.2010. Hence, this case.

**3.** All the accused persons took the plea of denial to the factum of culpability. Accused M.N.Jena having admitted to have received the loan amount from the Bank has explained in answering questions u/s. 313 Cr.P.C that he has submitted all the documents in support of his firm which was functioning in a rented house and when he offered part payment of the loan, the bank did not accept the same.

**(3-A)** Accused Sri Deepankar Mishra has given explanation in his statement u/s. 313 Cr.P.C that he had prepared the credit report on the direction of manager Sri Chaitan Badi referring to the documents collected by the manager during pre-sanction visit.

**(3-B)** Accused Sri Chaitan Badi has stated in his statement u/s. 313 Cr.P.C that as per rule, loan was sanctioned by him and the firm of Sri Jena was not a registered one. He has further explained that the address given in the loan application form was correct and registration number of the firm was required to be verified only in

case of loan above one crore (not for rupees ten lacs as in the present case).

**4.** In order to bring home charge, the prosecution examined 23 witnesses while defence examined one who was the present Branch Manager of the concerned branch. Seventy one documents were exhibited from the side of prosecution while Ext.A to Ext. Q-3 were marked on behalf of the defence.

**5.** The points for determination are:

- i.** Whether in the month of January, 2007 in Canara Bank, Bisra Road Branch Rourkela, the accused persons agreed to do illegal act for the sanctioning of a loan of Rs.10,00,000/- by illegal means in favour of accused Mrutyunjaya Narayan Jena?
- ii.** Whether accused persons on 5/6.1.2007 in furtherance of that conspiracy forged the guarantee forms and D.I.C certificate submitted in support of loan application by Sri Mrutyunjaya Narayan Jena?
- iii.** Whether accused persons by that time and place, fraudulently or dishonestly used forged documents like guarantee agreements, and firm registration certificate to be genuine in sanctioning loan?
- iv.** Whether accused persons by that time and place, cheated the Canara Bank, Bisra Road, Branch and thereby induced the bank for release of Rs.10,00,000/-?
- v.** Whether accused Chaitan Badi and Deepankar Mishra being public servants committed criminal misconduct by abusing their respective official positions and obtained for Mrutyunjaya Narayan Jena pecuniary advantage of Rs.10,00,000/- without any public interest?

**6.** In this nature of case where the core culpability pertains to the Process of a sanction of loan, narration of the nature of evidence would pave the path of appreciation free from incongruity and irrelevancy because of the fact that loan is admitted and the evidence seem to be of the same fibre. Here in after follows that.

**(6-A).** Out of 23 witnesses examined on behalf of the prosecution, P.W.1 is the Project Manager of District Industrial Center, Rourkela. P.W.2 is the Tax Collector of Rourkela N.A.C. P.W.4 is the Postal peon. P.W.3 is the son of allottee in whose favour N.A.C sheds No.4 and 5 was allotted of which address was given in the loan application form in support of functioning of the accused-firm. P.W.11 and P.W.12, two businessmen, denied to have entered any agreement with accused Jena in connection with business with his firm. All these six witnesses are pressed into service to prove that firm Utkal Fabrication and Engineering Works stated to be functioning in the given address was neither a registered firm nor was in existent.

**(6-B)** P.W.5 and 7 were the guarantors for the loan who admitted their signatures in the guarantee form Ext.6 and Ext.26 respectively but disowned their knowledge for having signed in the blank forms. P.W.10 is the Chattered Accountant who had prepared the balance sheet and estimate of Utkal Fabrication and Engineering Works firm submitted for loan. P.W.13 is a witness to the seizure. P.W.14 denied that any query was made from him about accused Jena. P.W.17 stated that he had introduced the accused Jena in Canara Bank. P.W.18 stated that accused had purchased one mobile from her. P.W.19 stated that he had purchased bricks from accused Jena. P.W.21 stated that he was a loanee in the concerned branch of Canara Bank.

**(6-C)** P.W.22 is the sanctioning authority while P.W.23 is the Investigating officer.

**(6-D)** Thus remained, P.W.6, P.W.8, P.W.9, P.W.15, P.W.16 and P.W.20 who were the Officers of the Canara Bank to state about the procedure of sanctioning loan and its contravention as far as the accusation is concerned.

**(6-E)** Eventually It is to mark that D.W.1 is the present Branch Manager of the Canara Bank, Bisra Road, Branch and has stated about the scheme which was campaigned specially to advance loan to meet target and that the bank has already received a sum of Rs.5,54,900/- from CJTMS (insurance) for the alleged loan.

**7.** The acceptability of the evidence depends upon the relevancy and admissibility. Some evidence at fringe are found to be shadow material sans substance. Thence arises the act of filtering out of irrelevants.

**(7-A)** Under this category, Ext.1 comes first. It is a letter dated 21.10.2009 by the Project Manager, DIC, Rourkela, P.W.1 to the Investigating Officer of this case P.W.23. In this letter, information regarding provisional registration certificate was given. The photocopy of registration certificate of M/S. M.M. Bricks submitted was marked Ext.2. P.W.1 in cross- examination has admitted that in reference to letter of Inspector C.B.I. he issued Ext.1, letter, on verification of records.

Ext.1 is a written communication by P.W.1 to the Investigating Officer made during investigation and its admissibility is hit u/s. 162 Cr.P.C as per decision reported in **AIR 1984 Supreme Court 911 (Binod Chaturvedi -vrs- State of Madhya Pradesh)** wherein it is stated that

*“The High Court fell into a clear error in relying on the two letters marked as Exhibit P-1 and Exhibit P-9. Exhibit P-1 was*

*a letter of P.W. 1, Sunderlal to the Superintendent of Police. Admittedly by 29.4.73 when this letter said to have been written, investigation had started on the basis of the first information report and therefore, a letter written by P.W. 1 who stood in the place of the prosecutor would not at all be admissible in evidence. No detailed reasons are warranted for this conclusion as the position is clearly covered by a decision of this Court in the case of [Kali Ram v. State of Himachal Pradesh, Learned](#) counsel for the State did not refute this conclusion."*

The Hon'ble Apex court in [Kali Ram v. State of Himachal Pradesh](#), reported in AIR 1973 SC 2773, has clarified the position reiterating that -

*" The prohibition relating to the use of a statement made to a police officer during the course of an investigation cannot be set at naught by the police officer not himself recording the statement of a person but having it in the form of a communication addressed by the person concerned to the police officer. If a statement made by a person to a police officer in the course of an investigation is inadmissible, except for the purposes mentioned in [section 162](#), the same would be true of a letter containing narration of facts addressed by a person to a police officer during the course of an investigation. It is not permissible to circumvent the prohibition contained in [section 162](#) by the investigating officer obtain a written statement of a person instead of the investigating officer himself recording that statement."*

**(7-B)** Next comes under this category is Audit report of which photocopy is marked Ext.28 through P.W.8. It was exhibited with objection. P.W.8 stated in his evidence that in July, 2008 he made

inspection and submitted his audit report. In cross-examination he has admitted that original was not available. He did not find his signature there in. On closure scrutiny of Ext.28, it is found to be a photocopy of which third sheet (paged- 1) does not ex facie ensure the accuracy of the copy because on the reverse of this sheet the writing is not in order. There is no certificate that it was compared with the original. This evidence Ext.28 is objected to be a photocopy which is not a primary evidence. The objection holds good. In the absence of original, it cannot be accepted as legal evidence.

Further, audit report has no evidentiary value for being inconclusive in nature. This is held by our Hon'ble High Court in a case **Hemanta Kumar Patra -v- State of Orissa disposed of on 27.2.2012** of which relevant portion is extracted below:

*"5. The question as to whether an audit report can be considered to be of conclusive nature and without any other evidence can form the basis of conviction has come up before this Court in various cases. In the case of State of Orissa -vrs.- Chamara Panda, 1985 CLR 308, this Court categorically laid down that an audit report of an inconclusive character which notes down some statements of objection cannot, by itself, saddle any person with criminal liability. In the case of Okila Luha -vrs.- State of Orissa, Vol. 58 (1984) CLT 80, this Court held that an order of conviction cannot be based on an audit report, which is of an inconclusive character, as an Auditor notes some objection therein and until the objections are brought to the notices of the persons concerned and the liabilities are fixed by the authorities after proper enquiry, no legal culpability can be fixed. Law was made further clear in the case of Bainkunthnath Mishra -vrs.- State of Orissa, (1998) 15 OCR 137 where it was held by the Court that conviction*

*under [Section 409](#) I.P.C. cannot be based merely on the basis of an audit report in the absence of any independent evidence with regard to entrustment"*

**(7-C)** Next comes the loan application form of which annexure and contents are stated to be forged and falsified for the purpose of cheating. It is sought to be proved by P.W.6. He is the special assistant of that branch. He admits to have not processed the said application. In cross-examination he admits that on the date of deposition for the first time he saw that loan application Ext.8 which is a photocopy. In cross-examination this witness has proved the original current account opening form Ext.7 by accused Jena which was opened on 31.8.2006 that means prior to the above transaction. The manager Chaitan Badi has endorsed it. This witness has proved the original current account opening form dated 2.1.2007 in favour of Utkal Fabrication and Engineering Works in which the address is given to be Nayabazar near Attachaki, N.A.C Plot No.4 and 5 Rourkela, Dist. Sundargarh, Odisha. This fact is admitted in cross-examination by P.W.6. This witness P.W.6, who has proved photocopy of original loan application vide Ext.8, has admitted in cross-examination that original of Ext.8 was not found. P.W.9 Branch Manager has also proved this photocopy application form Ext.8 but it was received with objection. P.W.9 has admitted in cross-examination para-15 that he has submitted the original loan application containing five pages and other relevant documents to the Investigating officer. So fact remains that prior to the submission of loan application on 5.1.2007, the accused had applied vide Ext.7 for opening of a current account in which the address was given showing the existence of Utkal Fabrication and Engineering Works at N.A.C. Shed No.4 and 5. If that is so, it cannot be said that in the loan application dated 5.1.2007, for the first time the address

at N.A.C. Shed no.4 and 5 was given to deceive the bank. In this background, the non-availability of original application assumes importance. Prosecution has not explained as to why the original loan application which is the meet of the matter is not produced in the court. When the primary evidence is not available, the photocopy which is not certified to be the true copy cannot be admitted into evidence to fix criminal liability regarding forgery and falsification of document.

**8.** Once the major materials stated above are found unacceptable to the arena of legal evidence, the residue reveals a different scenario. There is no dispute that loan of Rs.10 lacs was sanctioned and released by manager accused Chaitan Badi, and was withdrawn by accused Mrutyunjaya Narayan Jena. The core of criminality revolves around that for such sanction dated 6.1.2007, the documents submitted with the application form were forged, and falsified, and for the conspiracy, those were not verified as required under the bank rule. In cross-examination, P.W.9 has admitted that the loan was insured and insurance premium was deducted vide Ext.35 on 31.3.2008 which was after one year. Further P.W.9 has admitted that the bank has received 75% insured amount Rs.5,54,900/- . He has stated in cross-examination para-8 that he has filed the money suit before the Debt Recovery Tribunal Cuttack on behalf of the Canara Bank. This witness has stated that C.G.F.S.I. Scheme was under implementation and the loan was sanctioned to the SSI unit. In cross-examination para-13 he has admitted that the sanction of loan is the sole discretion of the branch manager and only when the branch manager is satisfied after pre-sanctioned spot visit and after perusal of the documents of the parties, he sanctions the loan. This witness has proved the guarantee letter Ext.Q of Rabindra Kissan. He has admitted that

personal guarantee of the loanee can be taken and the branch manager was competent to sanction loan up to Rs.30,00,000/-.

**9.** P.W.20 an officer of the said Bank has proved the original credit investigation report Ext.53 and credit report Ext.54 of Utkal Fabrication and Engineering Works dated 5.1.2007. He has also proved the original stock verification report Ext.47 dated 7.8.2007. In cross-examination this witness P.W.20 has stated that godown inspection report Ext.47 was made on 27.7.2007 by P.Xaxa who is examined as P.W.15. This witness P.W.15 has stated that he has not made any physical verification of the stock and in Ext.49 to Ext.52 he certified that godown was checked by him. In cross-examination para-8 he has admitted that after Manager takes decision for sanction of loan, the documentation including credit report is done and he proved pre-sanction report Ext. Q/2.

**(9-A)** P.W.9 has stated that accused Chaitan Badi was the predecessor of accused Deepankar Mishra and Chaitan Badi after transfer was not relived immediately and looked after recovery of bad loans.

**(9-B)** In the end what result from above in depth analysis is that not only the manager but also other officers of the bank had taken part in processing, verifying and releasing the loan amount to accused-firm. The oral testimonies of bank officers with reference to the documents placed do not cut the knot of the defence that without any guilty intention, the contravention of procedure would not attract the penal provisions. On the above proved facts, points can be answered in the following manner.

**10. ANSWER TO POINT NO.1.**

Accused Chaitan Badi was the Manager and accused Deepankar Mishra was an officer in the month of January, 2007 in Canara Bank at Bisra Road, Branch. As per P.W.9 Sri Mishra took

charge from Chaitan Badi. The accused Mrutyunjaya Narayan Jena as a proprietor of Utkal Fabrication and Engineering Works firm had applied for a loan on 5.1.2007. The original application for the reasons best known to the prosecution is not proved. The photocopy proved through P.W.6 and P.W.9 does not reveal forgery and falsification of any part of that. For the said loan, not only pre-sanctioned verification was done vide Ext.Q/2 but also Insurance premium was deducted and the assured amount to the extent of Rs.5,54,900/- was received. A suit filed by P.W.9 on behalf of bank is pending in the Debt Recovery of Tribunal, Cuttack. The loanee accused M.N.Jena has admitted to have received the loan amount but claimed that his offer for repayment was not accepted. Only because the address given in the loan application about the situs of the firm and its merchantised transaction is found false, it cannot be said that there was a conspiracy amongst three accused persons to cause wrongful loss to the bank.

**(10-A)** There is no iota of evidence that for sanction of such loan in favour of Mrutyunjaya Narayan Jena either accused Chaitan Badi or Dipankar Mishra as Manager and officer of the Bank were benefited in any way from accused Mrutyunjaya Narayan Jena by sanction of loan of Rs.10 lacs. So the intention of the accused persons to defraud the bank is not inferable. There is a measured of truth in the contention that the inception of criminal conspiracy from any agreement was beyond comprehension in the facts that bank including the successors and higher-ups took steps not only to make recovery of the loans but also got reimbursed from Insurance company. The post-sanction process for recovery of debt under civil law runs contrary to any agreement amongst the accused persons to hatch a conspiracy. The ingredients of offence u/s. 120-B IPC are not proved beyond reasonable doubt.

**11. ANSWER TO POINT NO.2 and 3.**

The prosecution has not pointed out the documents which are forged by the accused persons. It is true that guarantors P.W.5 and P.W.7 have stated that they signed in the blank guarantee forms. In cross-examination P.W.5 has admitted that accused Chaitan Badi called him to the Bank to execute the documents. P.W.7, another guarantor, has admitted in cross-examination para-6 that he signed in the guarantee forms at the instance of accused Chaitan Badi in good faith. These two witnesses were not new to the banking transaction and their affirmation that they signed in the blank forms do not inspire confidence. Both are not credible. P.W.3 has stated that Sheds No.4 and 5 Nayabazar Sector-21 Rourkela were allotted in the name of his mother and he was running business there. He has admitted that accused Mrutyunjaya Narayan Jena had come to him in December, 2006 and took some documents of his firm in order to place some fabrication orders. He does not deny if any written agreement was made for leasing out the said sheds vide cross-examination para-7. Interestingly, Post Peon P.W.4 denied to know either accused Mrutyunjaya Narayan Jena or M/S. Utkal Fabrication and Engineering Works. In cross-examination he has admitted that he did not know whether M/s. Utkal Fabrication and Engineering Works was functioning in the shed no.4 and 5. The totality of this aspect of evidence points out that above tested witnesses have not stated that the documents shown to them and signed by them were forged or falsified. They knew accused and interacted with him in course of business transaction. Only because they stated that their signatures were taken in blank papers and photocopy given by them was used by accused, it cannot be said that those documents were used to show the existence of Utkal Fabrication and Engineering Works They are not

trustworthy witnesses. There is no clinching and cogent evidence to show the forgery and falsification of any document. The offences u/s. 468 and 471 of IPC are not proved beyond reasonable doubt.

**12. ANSWER TO POINT NO.IV.**

Loan was sanctioned by Manager and an Officer and it is withdrawn by the loatee. The loatee admits to have taken the said loan. The loan was sanctioned under a scheme. The loan was insured. The Insurance premium was deducted after one year of the loan. The assured amount was received by the Bank. The bank has taken steps lawfully for the recovery of the loan from the loatee i.e. filing money suit before the Debt Recovery Tribunal, Cuttack. The original loan application and audit report are not proved. There is no evidence that the Manager and Officer, both the accused persons were benefited in any manner by sanction of such loan. So question of deceiving the bank by accused Mrutyunjaya Narayan Jena is not established. There is no evidence that accused Mrutyunjaya Narayan Jena had dishonest intention to deceive the bank. On the other hand the prosecution has already failed to prove conspiracy. Because of the above facts, the prosecution cannot be said to have proved offence u/s. 420 IPC beyond reasonable doubt.

**13. ANSWER TO POINT NO.5.**

Both accused Chaitan Badi and Deepankar Mishra as Manager and Officer of Canara Bank, Bisra Road, Branch were public servants u/s. 2 (c) of the P.C.Act, 1988 and for that prosecution has obtained for sanction Ext.55 from P.W.22 in compliance with section 19(c) of the P.C.Act. Both the accused persons were found to have committed some irregularities in sanctioning loan in favour of Mrutyunjaya Narayan Jena on 6.1.2007 but such irregularities were not the result of any criminal conspiracy. There is no evidence that accused persons had taken any pecuniary advantage in sanctioning

such loan. Both of them had not abused their position. The loan was advanced under implementation of C.G.F.S.I Scheme to SSI and D.W.1 the present Branch Manager of the said Bank has testified the same in unequivocal tones. The statement of accused Deepanakar Mishra recorded u/s. 164 Cr.P.C on 29.6.2010 on sponsorship of prosecution does not disclose that culpability was perpetrated with guilt intention to sanction loan in favour of accused Mrutyunjaya Narayan Jena. Viewed thus, the commission of misconduct of a public servant by both the accused persons namely Chaitan Badi and Deepankar Mishra are not proved to the hilt.

**14.** On the conspectus of factual scenario proved and probablised by defence the prosecution has failed to prove the charges against the accused persons beyond all reasonable doubt.

**15.** In the result, all the accused persons are held not guilty of the offences u/s. 120-B, 468, 471, 420 of IPC and the accused Chaitan Badi and Deepankar Mishra are further held not guilty of the offences u/s. 13(1)(d) read with Section 13(2) of the P.C.Act, 1988 and they are acquitted u/s. 248 (1) Cr.P.C.. They be set at liberty forthwith.

Seized articles, if any, be returned from whom seized. Zimanamas be cancelled after two months of the appeal period, if no appeal is preferred against this judgment and in case of appeal, the same shall be subjected to appeal.

Special Judge, C.B.I.-II, Bhubaneswar.

Dictated and corrected by me. Judgment is pronounced in the open court today this the 29<sup>th</sup> March, 2016.

Special Judge, C.B.I.-II, Bhubaneswar.

**LIST OF THE WITNESSES EXAMINED BY THE PROSECUTION.**

P.W.1	Prafulla Kumar Jena.
P.W.2	Dukhishyam Choudhury.
P.W.3	R.K. Srinibas.
P.W.4.	Pradeep Kumar Ekka.
P.W.5.	Rajendra Ramana Mangaraj.
P.W.6.	Petrus Ekka.
P.W.7.	Narendra Padhiary.
P.W.8.	Sunil Kumar Singh.
P.W.9.	Santosh Kumar Mohapatra.
P.W.10.	Khageswar Pradhan.
P.W.11	Daljit Singh.
P.W.12	Bikash Chandra Samal.
P.W.13.	Sabit Ranjan Ray.
P.W.14.	Ziauddin Usmani.
P.W.15	Paulus Xaxa.
P.W.16.	Ananta Charan Murmu.
P.W.17.	Sajit Sharma.
P.W.18.	Smt. Priyambada Sahu.
P.W.19.	Sachidananda Tripathy.
P.W.20.	Bahadur Lakra.
P.W.21	Rajesh Banarjee.
P.W.22	Umamaheswar Pal
P.W.23	Subhransu Bhusan Mishra.

**LIST OF THE WITNESSES EXAMINED BY THE PROSECUTION.**

D.W.1	Sukanta Ranjan Panigrahi.
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**LIST OF DOCUMENTS EXHIBITED BY THE PROSECUTION.**

Ext.1	Letter No.19 dtd.21.10.2009.
Ext.1/1	Signature of P.W.1.
Ext.2	Photo copy of Provisional registration certificate.
Ext.3	Letter.
Ext.3/1	Signature of Sushil Kumar Das.
Ext.3/2	Initial signature of P.W.2.
Ext.4	Photo copy of ownership.
Ext.5	Signature of P.W.5.
Ext.5/1	Signature of P.W.5.
Ext.6	Signature of P.W.6.

Ext.6/1 to 6/7	Signature of p.w.5.
Ext.7	Current account opening form.
Ext.8	Loan application form.
Ext.9	OCC sanction letter.
Ext.9/1	Signature of accused Chaitan Badi.
Ext.10 to 25	Self cheques.
Ext.10/1 to 25/1	Signature of P.W.6.
Ext.26	Signature of P.W.6 on guarantee covering letter.
Ext.27,27/1 to 27/5	Signature of P.W.7 in guarantee agreement.
Ext.28	Photo copy of audit report.
Ext.29	Guideline for credit guarantee fund scheme.
Ext.30	Guideline of credit guarantee fund of SMSE.
Ext.8/1	Application form contains the original signature of applicant M.N. Jena.
Ext.8/2	Signature of M.N. Jena.
Ext.31	Pronote executed by borrower M.N. Jena.
Ext.32	Cash credit agreement executed by M.N.Jena.
Ext.32/1to 32/9	Signature of M.N.I Jena with seal of the firm.
Ext.33	Proprietorship letter dtd.6.1.2007 written by M.N. Jena to the Branch Manager, Canara Bank.
Ext.33/1	Signature of M.N. Jena.
Ext.6/8 to 6/15	Signature of M.N. Jena.
Ext.6/16	Signature of Chaitanya Badi.
Ext.27/6	Guarantee agreement executed by M.N. Jena.
Ext.27/7 to 27/14	Signature of M.N. Jena with seal.
Ext.27/15	Signature of Chaitanya Badi dtd.6.1.2007.
Ext.7/1	Signature of Chaitanya Badi in the account opening form.
Ext.34	Statement of account in current A/c.No.707 in favour of Utkal Fabrication & Engineering Works.
Ext.34/1	Signature of P.W.9 Santosh Ku. Mohapatra.
Ext.35	Statement of A/C.No.10142 in name of Utkal Fabrication & Engg. Works.
Ext.35/1	Signature of P.W.9.
Ext.36 to 40	Transfer cheques in favour of third parties issued by M.N. Jena.

Ext.36/1 to 40/1	Signature of M.N. Jena.
Ext.41	Demand notice issued by the Branch Manager to M.N. Jena.
Ext.41/1	Signature of accused Dipankar Mishra.
Ext.42	Final recovery recall notice dtd.4.2.2008.
Ext.42/1	Signature of accused Dipankar Mishra.
Ext.43	DIC certificate issued by M.N. Jena.
Ext.44	Attested photocopy of credit report for sanction of Rs.10 Lakhs in favour of Utkal Fabrication & Engg. Works.
Ext.44/1	Signature of P.W.9 S.K. Mohapatra.
Ext.45	Seizure memo dtd. 24.8.2009.
Ext.45/1	Signature of P.W.13.
Ext.46	OCC stock statement.
Ext.46/1	Signature of P.W.15 P. Xaxa.
Ext.46/2	Signature of Chaitanya Badi.
Ext.47	Stock Inspection report dtd.7.8.2007.
Ext.47/1	Signature of P.W.15 P. Xaxa.
Ext.47/2	Signature of B.M. Chaitanya Badi.
Ext.48	Stock Inspection report dtd. 5.6.2007
Ext.48/1	Signature of P.W.15.
Ext.48/2	Signature of B.M. Chaitanya Badi.
Ext.49	Open Cash credit stock statement dtd.30.5.2007.
Ext.49/1	Signature of P.W.15.
Ext.49/2	Signature of B.M. Chaitanya Badi.
Ext.50	Open Cash credit statement dtd.30.4.2007.
Ext.50/1	Signature of P.W.15
Ext.51	O.C.C. stock statement dtd.30.3.2007.
Ext.51/1	Signature of P.W.15.
Ext.52	OCC stock statement dtd.28.2.2007.
Ext.52/1	Signature of P.W.15.
Ext.7/1	Signature of P.W.17.
Ext.53	Original credit investigation report of U.F &E works.
Ext.53/1	Signature of Chaitan Badi.
Ext.53/2	Signature of D. Mishra, Accountant.
Ext.54	Credit report of M/s. U.F.& E. Works.
Ext.54/1	Signature of Chaitanya Badi.
Ext.54/2	Signature of D. Mishra.
Ext.55	Sanction order of accountant dtd.1.9.2010.
Ext.55/1	Signature of P.W.22.
Ext.56	Copy of circular No.140/2010.
Ext.57	Formal FIR.
Ext.57/1	Signature of SP CBI.

Ext.58	Seizure list.
Ext.59	Seizure list dtd.8.6.2010.
Ext.59/1	Signature of P.W.23.
Ext.60	Letter dtd.2.9.2010.
Ext.61	Letter dtd.8.4.2010.
Ext.62	Letter dated 31.8.2009
Ext.63	Letter dated 6.10.2009
Ext.64	Letter dated 10.12.2009.
Ext.65	Letter dated 11.5.2010
Ext.66	Letter dated 11.2.2010.
Ext.67	Letter No.91dated 1.6.2010
Ext.68.	Letter No.97dated 12.6.2010
Ext.69	Letter No.98 dated 14.11.2010.
Ext.70	Letter No. 1423 dated 21.6.2010.
Ext.71	Letter No. 52 dated 20.3.2010.
Ext.71/1 to Ext.71/4	Four cheques bearing No.092297, 092300, 092298 and 092761.

**LIST OF DOCUMENTS EXHIBITED BY THE DEFENCE.**

Ext. A	Signature of P.W.6 on Ext.7.
Ext.B.	Current account application form.
Ext.B/1	Signature of P.W.6
Ext.B/2 and B/3	Signature of accused M.N.Jena.
Ext.B/4	Signature of accused
Ext.B/5	Writings of accused Chaitan Badi.
Ext.C.	Endorsement and signature of accused Chaitan Badi.
Ext.B/6	Writing of accused Chaitan Badi.
Ext.D	Letter of proprietorship.
Ext.D/1and  D/2	Signature of accused M.N.Jena.
Ext.B/7 and  B/8	Endorsement and signature of accused Chaitan Badi.
Ext.E	Writings of accused Chaitan Badi.
Ext.F	Writings of accused Chaitan Badi.
Ext.G	Letter of proprietorship.
Ext.G/1	Signature of accused M.N.Jena.
Ext.G/2	Writings.
Ext.H	Writings of accused Chaitan Badi.
Ext.J.	Signature of accused M.N.Jena
Ext.K.	Agreement for co-lateral security.
Ext.K/1 to K/8	Signature of accused M.N.Jena.
Ext.L	Letter of execution of document.
Ext.L/1	Signature of accused Chaitan Badi.

- Ext.M. Stock statement and stock verification report of July, 2001.
- Ext.N. Photocopy of Insurance certificate covering for the period from 22.1.2008 to 21.1.2009.
- Ext.P. Guideline of Canara Bank of India known as CGFSI.
- Ext.Q Letter of Rabindra of the guarantor.
- Ext.Q/1. Seal with signature.
- Ext.Q/2. Document of pre-sanction report.
- Ext.Q/3 Signature of Chaitan Badi, B.M.

Special Judge, C.B.I.-II, Bhubaneswar.