

IN THE COURT OF THE SPECIAL JUDGE, C.B.I., COURT NO.III,
BHUBANESWAR.

PRESENT : Sri B.N. Das,
Special Judge, C.B.I.,
Court No.III, Bhubaneswar.

T.R. No. 22/09 OF 2013/2008
(Arising out of R.C. 25(A)/ 2007)

Date of argument : 08.12.2014

Date of Judgment : 19.12.2014

REPUBLIC OF INDIA

Versus.....

Bula Behera, aged about 49 years,
Son of Dhuli Ram Behera,
Vill. Souria,P.O.Ghoradia, P.S. Delanga, Dist.Puri,Orissa,
Deputy Manager, New India Assurance Co.Ltd.

... .. Accused

For the Prosecution: Sri K. C.Mishra,Sr. P.P.,CBI,
Sri Ashish Jaiswal, P.P.CBI.

For the Accused : Shri S. Ch. Mohapatra & Associates,
Advocates.

J U D G M E N T

The accused stands charged under Sec. 7 and Sec.13(2) read with Sec. 13(1) (d) of Prevention of Corruption Act for demanding and accepting bribe of Rs.1000/- from the complainant as illegal gratification being a public servant.

2. The case of the prosecution in nut shell is that the complainant who was empanelled by the Regional Office of NIACL as a lawyer for representing the company in various Courts at Rourkela, submitted his

bill towards his professional fees for conducting cases of NIACL in Motor Accident Claim Tribunal. In order to process the bill, the accused being Divisional Manager, New India Assurance Co. Ltd. demanded illegal gratification of Rs. 1000/- from him on 27.9.2007. Being aggrieved, he lodged a written complaint before the S.P. CBI on 1.10.2007. Accordingly, S.P. CBI registered a case vide R.C. Case No. 25(A) of 2007 and directed D.K. Kabi to lay a trap by forming a team of CBI officials and trap team members. Accordingly, on 3.10.2007 pre-trap formalities were conducted at Rourkela Unit Office, where, the complainant produced one GC note of Rs.1000/- bearing sl.No.5AS778058 which was treated with phenolphthalein powder and the complainant was instructed to hand over the same to the accused on his demand. Witness P.K. Swain was asked to be a shadow witness and to see the transaction and also over hear the conversation. After pre-trap formalities, a pre-trap memorandum was prepared at the spot and all the witnesses put their signature. As per direction, all the witnesses and CBI staffs proceeded to the spot on 3.10.2007. The complainant while contacted the accused, he demanded and accepted bribe of Rs.1000/- from the complainant. After transaction on getting signal, the accused was caught red handed by the CBI staffs, both of his hands were washed in sodium carbonate solution, the left hand was did not change colour of the liquid, when the right hand wash gave positive symptom. The tainted note was recovered from the accused, his pocket wash was taken, sketch map was prepared and thereafter, a post trap memorandum was prepared. On completion of trap proceeding, the office premise was searched and concerned files were seized. Pocket wash and hand wash liquid was kept in sealed bottles which were subsequently sent to CFSL, Kolkata for chemical examination. After obtaining sanction of prosecution, chemical examination report, on completion of investigation, charge sheet was submitted against the accused under Sec.7 and Sec.13(2) read with Sec.13(1)(d) of P.C. Act. Then the accused faced trial after pleading not guilty to the charges.

3. The defence plea is one of complete denial. Further the accused has taken the stand that forcibly the complainant shook hand with him prior to the occurrence. Since the opinion and copy of the judgment in

NIACL cases conducted by him were not filed and adverse order was passed by the competent court, the complainant was noticed, for which he has filed the false case in order to cause harassment.

4. In order to establish the charge against the accused, altogether ten witnesses have been examined on behalf of the prosecution, out of whom, P.W.1 is the Legal Assistant in the office of EPF Organisation, Rourkela who had accompanied with complainant. P.W.2 is the Administrative Officer of NIACL, P.W.3 is the Head Asst. Of Ferro Scrap Nigam Ltd. , P.W.4 is the Manager of NIACL, P.W.5 is the Deputy Manager of NIAC, P.W.6 is the chemical examiner of CFSL, Kolkata, P.W.7 is the complainant, P.W.8 is the General Manager, NIACL, P.W.9 is the Investigating Officer and P.W.10 is the trap laying officer.

On the other hand defence has examined three witnesses on his behalf, out of whom, the accused himself has been examined as D.W.3, D.W.1 is an empanelled lawyer of NIACL and D.W.2 is the Manager of NIACL.

5. The points emerge for consideration is as to:

- (i) Whether the accused was a public servant and discharging the duties of the Divisional Manager, NIACL, Rourkela?
- (ii) Whether he demanded and accepted bribe of Rs.1000/- from the complainant, abusing his official position?
- (iii) Whether the bribe amount was recovered from the exclusive possession of the accused?
- (iv) Whether the accused being a public servant has committed criminal misconduct by obtaining pecuniary advantage or valuable without any public interest by abusing his official position?

6. It is revealed from the evidence of witnesses that accused was serving as Divisional Manager of New India Assurance Co. Ltd. during relevant period. According to P.W.4 the Divisional Manager, Rourkela was empowered to pass the bills of advocates.

7. P.W.2 was the Administrative Officer of NIACL who has stated in his evidence that the complainant P.K. Jena was selected as a panel advocate which was forwarded to the Divisional Office as per letter dtd.26.12.2004 vide Ext.6.

8. P.W.4 has disclosed that he was Manager (Personnel & IBD) and the appointment letter of the accused was seized vide Ext.8 and the notification relating to the re-designation of Class-I officer of the company has also been proved vide Ext.11.

9. P.W.5 has disclosed that any claim notice relating to motor accident, the Divisional Manager receives the notice. There is panel of advocate for defending cases of the company and the Divisional Manager appoints the advocates forming a panel for any case. According to him, Divisional Manager is the final authority in passing the bills submitted by the advocates. It is also revealed that on 14.2.2006 Mr. P.K. Jena was the advocate appointed in a case by accused Bula Behera, Divisional Manager vide Ext.15/2 and after disposal of the case P.K. Jena submitted bill on 13.8.2007 for Rs.4500/- vide Ext.15/3 and the bill was pending before the Divisional Office till 2.10.2007. Even if the bill was marked to him, he recommended passing of Rs.4000/- and same was pending with the accused-Manager for approval till 2.10.2007. Hence, it is clearly established that the bill was pending with the accused for necessary approval till 2.10.2007.

10. P.W.7 is the complainant who has disclosed that he had submitted two bills vide Ext.16/1 and Ext.15/3 before accused-Divisional Manager for payment towards his professional fees. When he met him in his chamber on 27.9.2007 and requested for payment, the accused demanded bribe of Rs.1000/- from him in order to pass the bills and subsequently he asked him to come on 3.10.2007 with bribe money. On 1.10.2007 he submitted a complaint before S.P. CBI vide Ext.19. According to him, he was directed to attend CBI office on 3.10.2007 when A.K. Swain and P.K. Swain both the independent witnesses were present there. He described the purpose of his FIR and handed over 1000 rupee note to the I.O. According to him a demonstration was made by P.W.1 and the note was tainted with chemical powder and the reaction of powder in shape of colour liquid

was kept in a sealed bottle. The tainted note was kept in his shirt pocket and he was instructed to hand over the same to accused on demand. He has also disclosed about the pre-trap memorandum prepared at the spot vide Ext.1 on which he put his signature vide Ext.1/3 and Ext.1/4. His evidence further reveals that after reaching the office he handed over the tainted note to the accused on his demand, who kept the same in his shirt pocket. This witness gave signal by touching head and thereafter CBI staffs rushed to the spot and the tainted note was recovered from the accident claim journal by P.K. Swain. The hand wash of accused was taken and kept in a bottle marked 'L' and pocket wash of the shirt was taken which was also kept in a bottle marked 'P'. According to him, after recovery of the amount, post trap memorandum was prepared vide Ext.2 and he put his signature vide Ext.2/3 and Ext.2/4. He has signed on all the sealed bottles vide M.O.I, II, III, VI and on the envelope containing the tainted note vide M.O.V. The journal was seized vide M.O.IV and the shirt vide M.O.VII. At the time of his cross-examination, he has admitted the fact that he was continuing in his job since 2004 till date of occurrence and he has submitted the bill on 16.8.2007 which was endorsed by Branch Manager. According to him, he had claimed Rs.4500/- in each bill and after necessary deduction, he had to get Rs.5000/-. Regarding demand and acceptance of bribe by the accused, his evidence finds corroboration by the evidence of P.Ws.1 and 3.

11. P.W.10 had accompanied with the trap team who has disclosed in his evidence about the entire scenario. According to him, the purpose of trap was described by the I.O. D.K. Kabi and pre-trap proceeding was prepared in his office vide Ext.1. The complainant had alleged about the demand of bribe of Rs.1000/- by the accused and he produced 1000 rupee note. Said note was tainted with phenolphthalein powder and Ashok Kumar Swain (P.W.3) handled the said note and his hand wash was kept in a bottle vide M.O.I. According to him, complainant accompanied with P.W.1 went to the spot along with tainted money with a direction to hand over the same to the accused on demand and to give signal to the trap party members. This witness was present at the time of trap and his evidence clearly reveals that after getting signal he proceeded to the

spot along with D.K. Kabi and he himself and P.K. Palai caught hold of both the hands of accused. When his right hand fingers were dipped in solution, same turned pink and same was preserved in a bottle vide M.O.III. The colour of the left hand wash was not changed and same was preserved vide M.O.II. According to him on being asked the accused brought out the tainted note from the journal which was seized and marked M.O.IV. The tainted note was kept in a sealed envelope vide M.O.V and the shirt vide M.O.VII. The pocket wash of the liquid was kept in a bottle vide M.O.VI. As regards recovery of tainted note from the possession of accused his evidence remains unshaken and nothing has been brought out substantial at the time of his cross-examination to discredit his testimony. The post trap memorandum was prepared at the spot vide Ext.2 on which he put his signature.

12. It is revealed from the evidence of P.W.1 that on 3.10.2007 as per direction of Commissioner, he reported before Inspector D.K. Kabi at about 8.30 a.m. while P.W.3, other official witnesses were also present along with the complainant P.K. Jena. This witness was introduced with others and D.K. Kabi made them aware of the fact of lodging complaint by complainant P.K. Jena regarding demand and acceptance of bribe by the accused. It has been stated in the FIR that in order to pass the bill of complainant, accused demanded bribe of Rs.1000/- from him. It is revealed from his evidence that in order to lay a trap, complainant was asked to produce the money and one 1000 rupee note was produced by him, the number of which was noted. One constable T.K. Dutta treated the currency note with Phenolphthalein powder and prepared sodium carbonate solution. The reaction of hand wash of Mr. Swain when tested in the solution, same resulted change of colour of the liquid and sample was kept in a dry cleaned bottle vide M.O.I. It is also revealed that the complainant was instructed to handover the tainted money to the accused only on demand and this witness accompanied with the complainant with instruction to overhear the conversation between the complainant and the accused and to oversee the transaction. The complainant was asked to give signal by combing his head after handing over the amount. According to this witness, a pre-trap memorandum was

prepared at the spot vide Ext.1 and all the witnesses put their signature. Admittedly, this witness proceeded to the spot along with the complainant and both of them went to the first floor and remained at a little distance. The complainant requested the accused to pass the bill while the accused enquired from the complainant regarding the demanded amount of Rs.1000/-. When the complainant told him affirmative, the accused stretched his hand and then the complainant brought out the tainted amount from his shirt pocket and handed over the same to accused which he kept in his left side shirt pocket. Subsequently, the complainant came outside and gave signal when the trap party members went inside. Mr. Kabi challenged the accused regarding demand and acceptance of bribe from the complainant, but the accused fumbled and became nervous. Both P.K. Palai and S.B. Mishra (P.W.10) caught hold the wrist of the accused. Subsequently, it is also revealed that one T.K. Dutta prepared the sodium carbonate solution and when the fingers of hands of the accused were dipped in sodium carbonate solution, only the right hand wash turned to pink. The samples were preserved in two separate bottles, wrapped with papers vide M.O.II and III. When the accused was asked to produce the bribe money, he brought out the same from a book and gave recovery of the same which tallied with the numbers of the note noted earlier. The note was kept in a sealed cover vide M.O.V and the pocket wash of the accused was taken which also resulted change of colour to pink and was preserved vide M.O.VI. A post trap memorandum was prepared at the spot vide Ext.2. According to him, the residence of the accused was searched and some documents were recovered vide Ext.4 and 5 where this witness has put his signature. At the time of cross-examination, nothing has been brought out substantial to discard his testimony and he has fully supported the prosecution case as well as version of complainant P.W.7. As regards handing over and conversion as well as recovery of the tainted note from the possession of the accused, the evidence of this witness remains unshaken throughout.

13. P.W.3 is the another accompanying witness who has not only corroborated the evidence of P.W.1 but also has disclosed in detail about pre-trap preparation, reaction of phenolphthalein powder with

sodium carbonate solution as well as demand and acceptance of bribe by the accused and recovery of the same. This witness has clearly disclosed that he saw the accused who brought out one 1000 currency note from his pocket and kept the same in accident claim journal lying on his table. Further he has also stated that the accused on being challenged by D.K. Kabi became nervous and fumbled and when both of his hands were caught by Inspector and constable Palai and fingers of accused were dipped in the sodium carbonate solution, only the right hand wash of the accused turned to pink and there was no change of colour of the left hand wash. According to him sample were preserved in two sealed bottles vide M.O.II and III. This witness has also clearly stated about the recovery of bribe money by the accused, which was kept inside the journal. This witness compared the number of the note which tallied with the previous noting in pre-trap memorandum. He has also fully corroborated the version of P.W.1 about the pocket wash of the accused preserved vide M.O.VI. According to this witness, sketch map was prepared at the spot vide Ext.3 and the search of the house of the accused vide search list Ext.4 and seizure list Ext.5. This witness in his cross-examination has admitted that P.W.1 and he himself both are related to each other. Simply because both are related to each other, on that ground the entire evidence of both the witnesses should not be discarded.

14. P.W.6 is the Chemical examiner who has undergone specialized training for chemical examination. According to him, he had received four bottles for chemical examination marked R, L, P & D and on examination of said bottles separately phenolphthalein sodium carbonate was found in the water and phenolphthalein could not be detected in the bottle marked 103/07/B. But sodium carbonate and water was detected in the bottle marked 103/07/B. He has proved his report vide Ext.17 and his signature vide Ext.17/1.

15. P.W.8 is the sanctioning authority who has accorded sanction of prosecution in respect of the accused vide Ext.21. He has clearly stated that after going through the documents and proper application of his mind after being satisfied that there is a prima facie case against the accused as he is involved in the offence, he accorded sanction of prosecution.

16. P.W.9 has taken charge of investigation from D.K. Kabi who has proved the FIR. During course of investigation not only he has examined the witnesses but also he has seized relevant documents vide Ext.7 and 23. He has sent the exhibits to CFSL Kolkata for examination and obtained the chemical examination report vide Ext.17. After obtaining sanction of prosecution and on completion of investigation he has submitted charge sheet on 30.7.2008 against the accused.

From the evidence of above witnesses, it is clearly established that the bills were pending with the accused at the relevant time and in order to finalise those bills, he has demanded bribe of Rs.1000/- which was paid by the complainant to him and subsequently same was recovered from the possession of the accused while it has been kept inside a Motor accident claim journal vide M.O. IV.

17. D.W.1 is a panel lawyer of NIACL who has disclosed that after the legal opinion, the bill is submitted to the Insurance Company and he has not faced any difficulty with the accused during his course of work. Similarly D.W.2 has disclosed about the structure of payment of fees in Insurance cases and he has stated that the delay is caused due to late submission of certified copies of judgment. According to him, only Divisional Manager is to take decision in case of referred cases.

18. The accused himself has been examined as D.W.3 and has disclosed that he distribute the job allocation to all the staffs and according to job order, Mr. P.P. Mishra was in-charge of legal department of his office. He has admitted in his evidence that the complainant was inducted as new panel advocate vide Regional Office letter dtd.24.12.2004. Further, he has disclosed that legal department use to make correspondences with the advocates and also approves their professional fees. His evidence reveals that the complainant was given 19 numbers of bill during his tenure and he has never complained on any bill for payment of the fees in the above cases. According to him, he received notice from MACT Sundargarh in Case No. 47/2004 in which award of Rs.1, 90,000/- was passed with a direction to pay 6% interest, for which he had issued letter to the complainant P.K. Jena to appear before MACT Sundargarh on

3.10.2007. He has further stated that on the date of occurrence, the complainant came to his office, shook hand with him and suddenly took his pen from his pocket by touching his pocket and noted the points. After that, CBI people came and forcefully put his hand in the water which turned pink and took away his shirt from him and he opposed them. According to him, the allegations are false and fabricated and motivated. At the time of his cross-examination, he has admitted that he is the head of office as Divisional Manager and the pending bills were cleared by official process. Further he has admitted in his cross-examination that he had not complained before any higher authority regarding touching of his pocket by P.K. Jena and taking away of his pen from his pocket. He has also admitted that both the bills were addressed to Divisional Manager and he had dealt the same in his official capacity. Even if the accused has stated in his evidence that the complainant took away the pen from him, shook hand with him, not a single question has been put at the time of cross-examination to any of the prosecution witnesses or staff present at the time of trap. The evidence of D.W.3 is not at all believable so far as acceptance of bribe is concerned. More over the claim of the complainant was not pending before any authority other than the accused.

19. Learned counsel for the defence while arguing over the matter submitted that there is no cause of action to demand bribe for which, prosecution case is not at all believable. Further, he argued that there is no evidence on record to show that the bills were not processed at the instance of the accused. It is further argued that as regards demand of bribe evidence of P.W.1 and 7 are materially different from each other and since P.W.1 is a stock witness of CBI, no reliance should be placed on his evidence. As regards acceptance of bribe, the learned defence counsel argued that there is contradiction in the evidence of P.Ws.1 and 3 as regards place of occurrence and mode of handing over bribe to the accused. Similarly as regards recovery, there are also contradictions in the evidence of prosecution witnesses, for which the allegations are totally false and stage managed and same is not proved beyond all reasonable doubt. It is further argued that at the instance of Mr. D.K. Kabi, Inspector CBI, such a false allegation has been made

and procuring two witnesses this case has been foisted against the accused.

On the other hand, learned P.P. CBI submitted that there is cause of action to file such a case since the bill was pending with the accused at the relevant time and there is valid reason for payment of bribe which is well established not only from the evidence of prosecution witnesses, but also from the evidence of defence witnesses. On the other hand learned P.P. CBI submitted before the court that prosecution witnesses have proved in their evidence as regards demand and acceptance of bribe as well as recovery of the same from the exclusive possession of accused for which, the case has been well proved against him.

20. It is settled principle of law that a public servant may have power to do certain official acts by virtue of the rank he holds as a public servant. He may get other powers by virtue of the office which he holds. When he exercises either of the powers, his act is official. No line of distinction need be made as between the acts in exercise of a particular office and acts in exercise of his position as a public servant. If the act is done in his official capacity as distinguished from his purely private capacity, it amounts to official act. Further a mere demand or solicitation by a public servant amounts to the commission of offence under Sec.7 of P.C. Act and it is not necessary that act for which the bribe is given be actually performed.

21. In the instant case, it is established beyond all reasonable doubt that the accused is a public servant at the relevant time and was discharging the duties of a Divisional Manager. He has demanded bribe of Rs.1000/- from the complainant in order to process his bill and the complainant had informed the fact to CBI. Accordingly a trap was led and while accepting bribe of Rs.1000/- in shape of tainted note, the same was recovered from the exclusive possession of the accused. It is also established that the accused being a public servant has committed criminal misconduct by obtaining pecuniary advantage without any public interest by abusing his official position.

22. Hence, I come to the conclusion that the prosecution has well established the charges against the accused under Sec.7 and Under Sec. 13(2) read with Sec. 13(1)(d) of Prevention of Corruption Act beyond all reasonable doubt. Accordingly, the accused is held guilty of the charges Under Sec. 7 and Under Sec. 13(2) read with Sec. 13(1)(d) of Prevention of Corruption Act and he is convicted there under.

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Dictated & corrected by me and is pronounced in the open court today i.e. on 19th December, 2014.

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HEARING ON THE QUESTION OF SENTENCE:

Heard the convict on the question of sentence. It is submitted by the learned defence counsel that the accused is innocent and there is no previous allegation against him, for which, a lenient view may be taken in awarding sentence. On the other hand learned P.P., CBI submitted that the convict deserves exemplary punishment for committing such offence.

Considering the gravity of the offence as well as submission of both the counsels, I am of the considered opinion that a lenient view be taken in respect of the convict. Consequently, the convict is sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs.3000/- (Rupees Three Thousand) in default to suffer rigorous imprisonment for two months for the offence under Sec.7 of Prevention of Corruption Act and to undergo rigorous imprisonment for one year and to pay a fine of Rs.3000/- (Rupees Three Thousand) and in default to undergo R.I. for two months for the offence under Section 13(2) read with Sec. 13(1)(d) of Prevention of

Corruption Act with a direction that the sentences shall run concurrently. The period undergone as UTP if any be set off.

The seized documents be returned to the person from whom seized and the zimanama if any, be cancelled after four months of appeal period, if no appeal is preferred and in the event of appeal subject to the order of appellate court. The M.Os be destroyed after four months of appeal period, if no appeal is preferred and in case of appeal subject to the order of the appellate Court.

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Witnesses examined for the prosecution:

P.W.1 Prabodh Kumar Swain.
P.W.2 Pradipta Kishore Mohanty.
P.W.3 Ashok Kumar Swain.
P.W.4 Ranjaya Kumar Mohanty
P.W.5 Punya Pradip Mishra.
P.W.6 Bimal Chandra Parkai.
P.W.7 Pradeep Kumar Jena.
P.W.8 A.R. Sekar.
P.W.9 Prasanna Kumar Panigrahi.
P.W.10 Sudhansu Bhusan Mishra.

Witnesses examined for the defence:

D.W.1 Ranjan Kumar Choudhury.
D.W.2 Sudhir Kumar Jena.
D.W.3 Bula Behera.

List of exhibits marked for the prosecution:

Ext.1 Pre-trap memorandum.
Ext.1/1 Signature of P.W.1 on Ext.1.
Ext.2 Post trap memorandum.

Ext.2/1 Signature of P.W.1 on Ext.2.
 Ext.3 Sketch map.
 Ext.3/1 Signature of P.W.1.
 Ext.4 &5 Seizure list.
 Ext.4/1 & 5/1Signature of P.W.1.
 Ext.6 Letter.
 Ext.6/1 Signature of Regional Manager.
 Ext.1/2 to 5/2Signature of P.W.3.
 Ext.7 Seizure list.
 Ext.7/1 Signature of P.W.4.
 Ext.8 Appointment letter of accused.
 Ext.9 Transfer letter of accused.
 Ext.10 Appointment letter of accused provided by Regional Office.
 Ext.11 Notification relating to re-designation of Class-I Officer.
 Ext.12 Photo copy of powers & Limits of Officers of NICL.
 Ext.13 Notification relating to fees structure of panel advocates.
 Ext.14 Photo copy of conduct & Appeal Rule 1975 of company.
 Ext.15 File.
 Ext.15/1 Show cause notice.
 Ext.15/2 Appointment letter of Advocate P.K. Jena.
 Ext.15/3 Bill submitted by P.K. Jena.
 Ext.16 File.
 Ext.16/1 Bill submitted by P.K. Jena.
 Ext.17 Forensic Examination report.
 Ext.17/1 Signature of P.W.6 on Ext.17.
 Ext.17/2 Signature of Director,CFSL.
 Ext.18 Forwarding letter.
 Ext.19 Complaint.
 Ext.19/1 Signature of P.W.7 in Ext.19.
 Ext.6/2 Relevant entry.
 Ext.1/3 & 1/4 Signature of P.W.7 on Ext.1 on front page and last page.
 Ext.2/3 & 2/4Signature of P.W.7 on front page and last page of Ext.2
 Ext.3/3 Signature of P.W.7 in Ext.3.
 Ext.20 Seizure memo.
 Ext.20/1 Signature of P.W.7 on Ext.20.
 Ext.21 Sanction order.
 Ext.21/1 Signature of P.W.8 on Ext.21.
 Ext.22 Formal FIR.
 Ext.22/1 Endorsement with signature of S.P.CBI in Ext.22.
 Ext.7/2 Signature of P.W.9 in Ext.7.

Ext.23 Seizure memo.
 Ext.23/1 Signature of D.K. Kabi in Ext.23.
 Ext.1/5 Signature of P.wW.10 in Ext.1.
 Ext.3/4 Signature of P.W.10 in Ext.3.
 Ext.2/5 Signature of P.W.10 in Ext.2.

List of exhibits marked for the defence :

Ext.A Letter dtd. 27.9.2007 issued to the complainant by
 D.W.3.
 Ext.A/1 Signature of D.W.3 on Ext.A.
 Ext.A/2 Signature/initial of complainant on Ext.A.
 Ext.B Certified copy of order sheet in MACT case No.47/04 &
 48/04

List of M.Os marked for the prosecution:

M.O.I Sample bottle of hand wash after demonstration.
 M.O.II & III Two sample bottles of hand wash.
 M.O.IV Journal in which tainted money was kept.
 M.O.V Envelop containing G.C. Notes.
 M.O.VI Bottle containing pocket wash.
 M.O.VII Shirt.

List of M.Os marked for the defence :

Nil.

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