

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

**PRESENT:**

**Sri M.K.Panda,  
Special Judge, C.B.I.,  
Court No.I, Bhubaneswar.**

**T.R. Case No. 09 OF 2009.  
Arising out of R.C.No. 28(A)/2007.**

Date of argument : 23.9.2014.  
Date of Judgment : 27.9.2014.

**REPUBLIC OF INDIA.**

**Versus.**

1. Pitabas Sahu, aged about 52 years, s/o. Late Baji Sahu, of vill. Bhabininarayanpur, P.S. Gopalpur, Dist. Ganjam. At/P. Maitribihar, P.S. Chandrasekharpur, Dist. Khurda.
2. Rajkishore Samal, aged about 60 years, s/o. Late Krushna Samal, of vill. Chandraprava Street, P.S. Baidyanathpur, Dist. Ganjam.
3. Pravakar Mohapatra, aged about 50 years, s/o. late Gadadhar Patra, Vill. Aiginia, P.S. Khandagiri, Dist. Khurda.
4. Jollyrani Mohapatra, aged about 45 yrs, w/o. Pravakar Mohapatra, Vill. Aiginia, P.S. Khandagiri, Dist. Khurda.
5. Pratap Chandra Tripathy, aged about 59 yrs, s/o. RamaChandra Tripathy, Vill. Tulasinagar Main Road, P.S. Berhampur Town, Dist. Ganjam.
6. Mahendra Kumar Padhy, aged about 55 yrs, s/o. late Sarat Ch. Padhy, At- Go-Operative Colony, 1<sup>st</sup> lane, P.S. Baidyanathpur, Dist. Ganjam.
7. Prakash Ch. Patra, aged about 54 years, s/o. late Brundabana Patra, Vill. Dura, P.S. Gopalpur, Dist. Ganjam.

... Accused Persons.

For the Prosecution : Sri K.L.Kar, Spl.P.P.  
For the Accused No.1. : Sri S.K.Sahu, Adv.  
For the Accused No.3 & 4 : Sri K.C.Mishra, Adv.  
For other accused persons : Sri S.N.Panigrahi, Adv.

### **J U D G M E N T**

All the accused stand charged U/Ss. 120(B) IPC, 420 r/w. Sec. 511 IPC. Besides, the accused Pitabas Sahoo and Raj Kishore Samal stand charged U/Ss. 13(2) read with Sec. 13(1) (d) of the Prevention of Corruption Act, 1988. They pleaded not guilty to the charges and claimed to be tried.

2. Facts material for the prosecution hold as follows: The accused persons namely Pratap Chandra Tripathy, Prakash Chandra Patra and Mahendra Kumar Padhi are the agents of LIC of India whereas the accused Pitabas Sahoo and Raj Kishore Samal are Development officers of LIC of India, Berhampur Branch and the accused Prabhakar Mohapatra and Jollyrani Mohapatra are nominees for some policy holders. The function of Development officer is to generate new policies through the L.I.C agents and being the Primary Underwriter of the Corporation is responsible to ensure that the proposal brought by him is correct in all respects and the facts relating to age, family background and financial capacity are genuine and correct. The Development Officer helps in the work of the agent. So the Development officer is also required to make personal inquiry about the proposer while recommending the proposal and he has to certify the facts relating to age, family

background, financial capacity, state of health etc of the proposer before the policy is booked/ initiated. It is the specific case of the prosecution that the above named three agents have booked six numbers of LIC polices in the name of Rajendra Satpathy. The details of the policies are as follows:

Sl. No.	Name of Policy holder	Policy No.	Date of commencement	Sum assured	Annual premium.
1	Rajendra Sapathy.	570632038	28.7.2001	5,00,000/-	Rs.27,169.00
2		570364410	28.7.2001	5,00,000/-	Rs.24,375.00
3		571151649	28.6.2002	4,99,000/-	Rs.15,256.00
4		570856771	11.2.2002	15,00,000/-	Rs.74,472.00
5		570871885	10.10.2002	10,00,000/-	Rs.35,961.00
6		570871891	10.10.2002	10,00,000/-	Rs.40,888.00
			Total.	49,99,000/-	Rs.2,18,121.00

Similarly the agent Pratap Chandra Tripathy has booked two polices each in the name of Smt. Dutika Sapathy and Smt. Netramani Nanda. The details of the four polices are as follows:

Sl. No.	Name of Policy holder	Policy No.	Date of commencement	Sum assured	Annual premium.
1	Dutika Sapathy	570869577	15.10.2002	1,00,000	Rs.11,838/-
2		570888379	15.8.2003	7,00,000	Rs.83,868/-
			Total	8,00,000	Rs.95,706/-
1	Netramani Nanda	570869578	15.10.2002	1,00,000	Rs.11,838/-
2		570888759	28.8.2003	7,00,000	Rs.83,868/-
			Total.	8,00,000	Rs.95,706/-

In all the above policies Smt. Jollyrani Mohapatra wife of Prabhakar Mohapatra, and one Kanhu Charan Satpathy

(dead) are nominees with ulterior motives which is violation of the L.I.C Rules as per which the nominee has to be a relation of the Policy holder having pecuniary interest. The agents have also submitted their Confidential Report with false information to create the policies in the name of Rajendra Sapathy, Dutika Satpathy and Netramani Nanda. Development Officers namely Pitabash Sahoo, R.K.Samal and B.K. Panda (since dead) of L.I.C. of India, Berhampur Division submitted wrong Moral Hazard Reports stating that they had seen the policy holder physically, enquired about their income and were satisfied with the data mentioned in the proposal for the said policies through the policy holders named above who had no financial status to deposit such huge yearly premiums mentioned against their policies in the above table. The above named L.I.C. agents have submitted fake school certificates as age proofs which were accepted by the Development Officers to issue the policies and accordingly the policies were issued. No less specific is the prosecution case that Smt. Jollyrani Mohapatra wife of Prabhakar Mohapatra, Gandhi Nagar, Berhampur the nominee of LIC Policy No.570856771 intimated the Branch Manager of LIC Branch-I, Berhampur regarding death of Rajendra Sapathy who met with an accident on 27.7.2005 at Digapahandi Road and died on 30.7.2005 and also intimated the Branch Manager of the same Branch regarding death of Policy holders Smt. Dutika Sapathy having LIC Policy No.570869577 and Smt. Netramani Nanda having Policy No. 570888759 who had met with an accident on 27.4.2005 at Samal Barrage at about 7 A.M. and died and requested for death claim settlement. Prosecution case further reveals that the copy of school transfer certificate in respect of Rajendra Sapathy submitted to LIC along with the proposal form

for booking of the LIC Policies was not of Baunsia High School, Ganjam and the same was totally false one. Similarly Smt. Dutika Sapathy died on 14.11.2007 at her residence at village Ranjana due to old age i.e. at the age of 102 years which clearly appears from the Death Registration No. 604 dated 20.11.2007 in the office of Registrar, Death & Birth, Kaniha as per intimation given by her daughter in-law, Santilata Sapathy. Smt. Netramani Nanda died on 20.4.2007 at her residence at village Kanhia due to old age i.e. at the age of 91 years which clearly appears from the death registration No.244 dated 1.5.2007 in the office of the Registrar, Deaths & Births, Kaniha as per the death intimation given by Smt. Mini Behera, ASHA worker. The case of the prosecution also reveals that the death claim settlements were repudiated by LIC and no death benefit amounts were released in favour of the claimant nominees. Thus, the accused persons by entering into criminal conspiracy with each other attempted to cheat the LIC of India to the tune of Rs.65.99 lakhs by booking fake policies on false documents and claiming death benefits illegally and the accused Pitabas Sahoo and Raj Kishore Samal being a public servants working as Development officers in LIC of India, Branch-1, Berhampur Division by corrupt and illegal means and /or by otherwise abusing their official position as such public servants attempted to obtain for themselves and others pecuniary advantage to the said amount by booking fake policies. During investigation, the Investigating officer examined the witnesses, collected the documents and obtained sanction order against the accused-Development Officers and on completion of investigation submitted charge sheet against all the accused persons resulting in the present case.

3. Defence plea is one of complete denial of complicity of the accused in the alleged crimes.

4. Points for determination are:

- i. Whether the accused Pitabas Sahoo and Rajkishore Samal, Development officers, LIC of India, Branch-I, Berhampur Division during the year 2002-2003 entered into criminal conspiracy with other accused persons- Agents of LIC of India of the said Division namely Prakash Chandra Patra, Pratap Chandra Tripathy and Mahendra Kumar Padhi along with the private persons namely Pravakat Mohapatra and Jollyrani Mohapatra and in pursuance of the said conspiracy attempted to cheat the LIC of India and cause wrongful loss to it to the tune of Rs.65.99 lakhs by booking fake policies on forged documents and claimed death benefits illegally.
- ii. Whether the accused during the aforesaid period attempted to cheat the LIC of India, Branch-I, Berhampur Division by dishonestly inducing to deliver them a sum of Rs.65.99 lakhs by booking fake policies on forged documents and claimed death benefits illegally which are the valuable security of the LIC of India.
- iii. Whether the accused Pitabas Sahoo and Rajkishore Samal during the aforesaid period being a public servants working as Development Officers, LIC of India, Branch-I, Berhampur Division by corrupt and illegal means or otherwise abusing their position as such public servants attempted to obtain for themselves pecuniary advantage to the tune of Rs.65.99 lakhs and for other accused by booking fake policies on forged documents and claimed death benefits illegally.

5. Prosecution in support of its charges against the accused has examined as many as 53 (fifty three) witnesses whereas the defence has adduced the evidence of only one witness who is the accused Pitabas Sahu in substantiation of its plea and case.

6. Admittedly the accused persons Pitabas Sahoo and Raj Kishore Samal are working as Development Officers in LIC of India, Berhampur Division and the accused Pratap Chandra Tripathy, Prakash Chandra Patra and Mahendra Kumar Padhi are the LIC agents whereas the accused Prabhakar Mohapatra and Jollyrani Mohapatra are private persons/ nominees in the LIC policies in question. Undoubtedly, one of the important witnesses for the prosecution is Bishnu Charan Pattanaik, Sr. Divisional Manager LIC of India, Berhampur Division appearing as P.W.9 has testified that he is the informant and he had lodged the F.I.R in this case contained in Ext.34 and Ext.34/1 is his signature. He has further testified that one death claim case of Rajendra Satpathy had been filed before the Branch Manager and subsequently the same had reached the Division Office Berhampur. His evidence further reveals that death claim application of Dutika Satpathy and Netramani Nanda had also been forwarded to the Division office. According to him, accused Pravakar Mohapatra was the nominee in two cases and Jollyrani Mohapatra was the nominee in other case. He has alleged in the evidence that on going through the contents of the claim it came to light that the sum assured was huge amount and he found suppression of materials for which he became suspicious and reported the matter to C.B.I. He has further deposed that at the time of initiation of policy, LIC agent used to submit a confidential report relating to the person identity, income, age and other details. His evidence further reveals that the Development Officer used to submit a 'moral hazard report' if the sum assured exceeds the limit of that agent, to scrutinise the other materials submitted in that proposal form and to certify that proposal after verifying the contents and examining

the person concerned. He has proved the manual of agent Vol.-I as contained in Ext.35.

7. Another important witness for the prosecution is Himansu Sekhar Das, Manager (Policy service & EIMS) LIC of India, Berhampur Division who has been examined by the prosecution as P.W.12. He has testified that agent and Development Officer are required to ascertain the genuineness of the policy holder. He has further testified that on 25.10.2007 the I.O. of this case has seized ten policy dockets from his custody and prepared seizure list contained in Ext.42 and his signature has been marked Ext.42/1. It is the specific evidence of P.W.12 that Policy Nos. 570632038, 570631410, 571151649, 570856771, 570871885 and 570871891 which are in the name of Rajendra Satpathy have been booked in Berhampur Branch. These policy dockets have been marked Ext.43, Et.44, Ext.45, Ext.46, Ext.47 and Ext.48. In policies under Ext.43, Ext.44 and Ext.45, agent Mahendra Kumar Padhi has filed "agent confidential report" which have been marked Ext.43/2, Ext.44/2, Ext.45/2, Ext.46/2, Ext.47/2 and Ext.48/2. Similarly proposal forms have been proved as Ext.43/2, Ext.44/2, Ext.45/3, Ext.46/3, Ext.47/3 and Ext.48/3. Policy holder has signed in Oriya in self declaration forms in policies under Ext.43, Ext.44 and Ext.45 whereas he has signed in English in self declaration form in policies under Ext.46, Ext.47 and Ext.48. The self declaration forms have been marked as Ext.43/4, Ext.44/3, Ext.45/4, Ext.46/4, Ext.47/3 and Ext.48/4. The evidence of P.W.12 reveals that the true extract form evidencing age has been marked Ext.45/4, Ext.44/3, Ext.45/5, Ext.46/5 Ext.47/4 and Ext.48/5. The policies under Ext.43, Ext.44 and Ext.45 had been discontinued for some time for which the policy holder

prayed for continuation of the policies as contained in ext.43/7, Ext.44/6 and Ext.45/6. In policy under Ext.47 the policy holder changed his nominee and the intimation relating to change of nominee has been marked Ext.47/5. It is the specific evidence of P.W.12 that Policy No.570869577 and No.570888379 have been booked in the name of Dutika Sapathy which have been marked as Ext.49 and Ext.50. In these two policies Jollyrani Mohapatra is the nominee and agent Pratap Ch. Tripathy has submitted his confidential report. The agent's confidential reports have been marked Ext.49/2 and Ext.50/2. The proposals of the aforesaid two policies have been marked Ext.49/3 and Ext.50/3. In both the policies the policy holder has signed in Oriya in declaration forms which have been marked as Ext.49/4 and Ext.50/4. The policy holder has shown his annual income and in policy under Ext.50 previous policy no. 570869577 has been mentioned in the proposal. The policies bearing No. 570869578 and No.570888759 have been booked in the name of Netramani Nanda. Both the policies have been marked Ext.51 and Ext.52. In both the policies Smt. Jollyrani Mohapatra is the nominee and agent P.C.Tripathy who has filed his confidential report and Development Officer is Pitabas Sahu. The agent's confidential reports have been marked Ext.51/2 and Ext.52/2. The proposals for the policy have been marked Ext.51/3 and Ext.52/3. The Policy holder has signed in Oriya in declaration forms and annual income has also been shown. In policy under Ext.52 the policy holder mentioned the previous policy No. 570869578 and income particulars for the year 2001-02 to 2003-04 have been filed. According to P.W.12, on 13.11.2007 the I.O has seized some documents i.e. death intimation submitted by nominee Jollyrani Mohapatra in respect of Policy No.570886771,

No.570869577, No.570888759 and No.570869578 which have been marked Ext. 54, Ext.56, Ext.57 and Ext.58 and prepared seizure list as contained in Ext.53. Similarly the death information submitted by Kanhu Ch. Satpathy in respect of Policy No. 570871891, 570874885 and 570888379 which have been marked Ext.55, Ext.56 and Ext.57. The I.O also seized the Xerox copy of death certificate of deceased Netramani Nanda as contained in Ext.59, death certificate of Dutika Satpathy as contained in Ext.60 and Xerox copy of Rajendra Satpathy contained in Ext.61. The status report and premium history in respect of the above policies has been proved contained in Ext.62. He has also testified that on 13.11.2007 the I.O seized the documents i.e. underwriting manuals contained in Ext.64 and manual in respect of claims contained in Ext.65 and prepared seizure list in Ext.63. P.W.12 has alleged in his evidence that after collecting information from other divisions relating to above ten policies, the claim has been repudiated.

8. P.W.1 Sasi Bhusan Mishra and P.W.2 Iswar Chandra Pradhan both are employees of NTPC, Angul, P.W.5 Saraladas Mishra Inspector of Police, C.B.I., P.W.8 Snigdha Bhanja, Inspector of Police, C.B.I. and P.W.47 Bijan Kumar Thamba, Tahasildar-cum-Executive Magistrate, Talcher have stated in their evidence that they had accompanied the C.B.I. Inspector, A.K.Mishra to the village Ranjana where the Inspector of C.B.I. searched the hosue of Dutika Satpathy in their presence and at the time of search of the house, Santilata Satpathy daughter in-law ofDutika as well as some villagers were present. The evidence of the above witnesses reveals that Dutika Satpathy was bed ridden who was aged about 90 years and she identified herself. They have further testified that Santilata Satpathy told

them that her husband was died and her son Rajendra Satpathy was a mentally retarded. It is their specific evidence that a memorandum was prepared in their presence contained in Ext.1 and their signatures have been marked as Ext.1/2, Ext.1/3, Ext.1/4 and Ext.1/18 respectively. They have alleged in their evidence that still photograph and video photograph of Dutika had been taken by photographer Surendraq Kumar Nath which have been marked as M.O.I to M.O.V and M.O.VI is the negatives of the photograph. The video reel has been kept in an envelope as contained in M.O.VII. The above witnesses have categorically testified that on the same day they had accompanied the C.B.I. Inspector to the village Kulabir to search the house of Ananta Satpathy and in their presence the house of Ananta Satpathy searched and during search Ananta Satpathy and Susila Satpathy were present whereas Susila Satpathy has claimed that Netramani Nanda was her mother who died at the time of search. The C.B.I. Inspector prepared a memorandum contained in Ext.2 and the signatures of the witnesses have been proved as Ext.2/1, Ext.2/3, Ext.2/4 and Ext.2/2 respectively. P.W.2 alleged in his evidence that a calendar of 2007 has been seized contained in Ext.3 and there was an endorsement on the back side of the calendar for the month of April that N.Nanda died on 19.4.2007. P.W.11 Surendra Kumar Nath, Photographer in M/S. Maheswari Studio corroborating the statement of the above prosecution witnesses has testified that on 5.11.2007 he took still photograph and video of Dutika Satpathy and her daughter in-law identified Dutika who was an old woman and was sleeping on a cot. He has further deposed that the I.O seized the above photographs and video and prepared seizure list contained in Ext.41 and his signature has been marked

Ext.41/1. He has also signed in the memorandum and Ext.1/5 is his signature. P.W.13 Kailash Ch. Satpathy has stated in his evidence that on 8.11.2007 CBI team had come to his village and inquired from him about the identity of Dutika Satpathy for which he had identified the house of Dutika Sapathy who was aged about 80 to 85 years at that time and she had been confined to bed. His evidence further reveals that Santilata, daughter -in-law of Dutika was staying there as her husband Kanhu Charan @ Panu had died. It is the specific evidence of P.W.13 that Rajendra was the son of Santilata whom he had never seen coming outside his house as he was leaving in a very sick condition from his childhood, but he cannot say how Rajendra died. A memorandum was prepared by the CBI Staff in presence of Tahasildar contained in Ext.1 and he puts his signature thereon contained in Ext.1/6. Similarly P.W.14 has deposed that on 8.11.2007 CBI team had come to their village. It is his specific evidence that he knows Dutika Satpathy wife of Ratnakar and Kanhu was the only son of Dutika who is dead. He has further deposed that Santilata daughter in-law of Dutika is alive and Rajendra was the son of Santi and Kanhu, who was sick from his childhood and he was being treated. His evidence further reveals that Rajendra had been brought to the hospital and he died. He has further deposed that he also knows Ananta Satpathy of Kulabir who has two sons and two daughters out of whom Santilata is one of his daughters, but he cannot say the name of other daughter. He has signed on the memorandum and it has been marked Ext.1/7. P.W.15 and P.W.16 have deposed that on 8.11.2007 they had gone to the residence of Ananta Ch.Satpathy with the C.B.I. staff and the house of Ananta was searched in their presence. They have further

deposed that C.B.I. police prepared a memorandum contained in Ext.2 and they had signed thereon which have been marked Ext.2/5 and Ext.2/6. They have alleged in their evidence that Netramani Nanda died in a natural death. P.W.15 and P.W.16 have stated in their evidence that a Kohinoor press panji contained in Ext.3 and a colour photo of Netramani Nanda contained in M.O.III have been seized whereas P.W.15 has proved the endorsement on the back side of the calendar month April, 2007 (Ext.3) that Netramani had died on 29.4.2007.

9. P.W.3 Rabi Narayan Kar who was working then Clerk in the office of Health Officer, Berhampur Municipality from 2000 to 4.6.2010, has deposed that the I.O. had seized some documents and prepared seizure list contained in Ext.4. The seized documents are as follows: The original application form in respect of Netramani Nanda wife of late Kapileswar Nanda of village Gandhinagar, Berhampur contained in Ext.5 filed by the accused Pravakar Mohapatra in which it has been described that Netramani Nanda died on 24.7.2005, the death report contained in Ext.6 which reveals that Netramani Nanda died in a scooter accident. His evidence further reveals that there was registration of death of Netramani Nanda vide Regd. No. 1162 dated 20.5.2005 and they had issued the death certificate which was received by the accused Pravakar. He has further testified that The I.O had also seized the original application form filed by the accused Pravakar Mohapatra in respect of Dutika Satpathy contained in Ext.7 in which it has been written that Dutika died on 27.4.2005 in a road accident and to its support he also filed the death certificate contained in Ext.8 for which registration was made vide Sl.No.1161 dated 20.5.2005 and death certificate was issued to Pravakar. He has stated in his evidence that the

I.O. seized the original application form and death certificate as contained in Ext.9 and Ext.10 respectively filed by the accused Pravakar Mohapatra in respect Rajendra Satpathy and the contents of Ext.9 and Ext.10 reveal that Rajendra Satpathy died in a road accident on 30.7.2005. It is the specific evidence of P.W.3 that on 15.10.2008 the I.O. seized the documents i.e. the copy of the order passed by the Executive Magistrate, Berhampur in M.C. No.289 of 2004 contained in Ext.13, Xerox copy of affidavit of Rajendra Satpathy contained in Ext.14, copy of the petition u/s.10(3) of Birth and Death submitted by Kanhu Charan before the Executive Magistrate contained in Ext.15, application form by Kanhu Charan for taking birth certificate of Rajendra contained in Ext.16, birth report filed by Kanhu contained in Ext.17 on his production and prepared seizure list as contained in Ext.12. It is the specific evidence of P.W.3 that as per the birth report Santilata Satpathy was mother of Rajendra and Rajendra born at Gandhinagar Main Road, Berhampur but he is a permanent resident of Kulabir, Anugul for which birth had been registered vide Regd. No. 2387 dated 3.4.2004 and Dr.U.N.Sahu has signed as Registrar of Death and Birth. P.W.3 has admitted in his cross-examination that any relation of the deceased can file the application for registration of Death and Birth. P.W.4 Prasanta Kumar Nayak who was then working as Headmaster in Panchayat High School of Baunsia, has deposed that the I.O had seized admission register for the period from 15.7.87 to 28.8.96 having Sl.No. 1 to 345 and pages from 1 to 78 and prepared seizure list as contained in Ext.18. His evidence further reveals that after retaining the Xerox copy of the admission register duly certified by him, the I.O released the original admission register in his zima on execution of a

zimanama as contained in Ext.20. His categorical evidence is that as per requisition of the C.B.I he had furnished a report that no such Rajendra Satpathy son of Kanhu Charan Satpathy of Gandhinagar, Berhampur had been admitted in their school as contained in Ext.22 and no certificate has been issued from their school as contained in Ext.21. P.W.6 Ranjan Kumar Das Inspector of Police, C.B.I. has testified that as per the requisition of the I.O. Sri A.K.Mishra and on the strength of search warrant he searched the office-cum-residence of Pravakar Mohapatra located at Gandhinagar, Berhampur in presence of witnesses and seized a bunch of paper containing 7 sheets, another bunch of paper containing 8 sheets, bunch of photocopies containing 23 sheets, bunch of documents containing 29 sheets, a file containing LIC documents (182 sheets) and prepared separate seizure lists contained in Ext.28, Ext.29, Ext.30, Ext.31, Ext.32 and Ext.33 respectively. He has further testified that he had taken specimen signatures of Pravakar Mohapatra and Jollyrani Mohapatra. His evidence further reveals that he handed over all the documents to the I.O. A.K.Mishra. The evidence of P.W.6 finds corroboration from the evidence of P.W.7 Rabindranath Mohapatra and P.W.39 Maheswar Sethi who have stated that in their presence C.B.I. staff seized the documents contained in Ext.28 to Ext.33. His signature in the seizure list Ext.28 has been marked Ext.28/2. P.W.10 Baidyanath Samal, Inspector of Police, C.B.I. has deposed that on 8.11.2007 on the strength of search warrant he searched the house of Pankaj Satpathy in presence of his wife and other witnesses and seized one LIC renewal receipt contained in Ext.37, a letter from the LIC to Minati Satpathy contained in Ext.38, a nomination declaration contained in Ext.39 and other four declaration of nominee

contained in Ext.40 to Ext.40/3 and prepared a seizure list of those documents contained in Ext.36. He has further testified that he handed over the case diary and other documents to Inspector A.K.Mishra, the I.O of this case.

10. P.W.17 Santilata Satpathy whose house at Mouza-Ranjana was searched by the C.B.I. on 8.11.2007 in her presence and others has admitted that Dutika Satpathy is her mother-in-law and Rajendra is her son. Her evidence further reveals that Dutika Satpathy was not available in the house at the time of search. He has not supported the prosecution allegation in any manner for which he was put leading questions by the prosecution. P.W.18 Dr. Charan Panda, Asst. Professor in Surgery of MKCG Medical College and Hospital, Berhampur has deposed that as per the requisition of the C.B.I. some documents were supplied from the Hospital along with forwarding letter dated 9.9.2008 contained in Ext.67 which was signed by Dr. J.P.Behera as Supdt. of the College and Hospital with whose signature he was acquainted . The signature of Dr.J.P.Behera has been marked Ext.67/1. The supplied documents are as follows: The bed head ticket of the patient Rajendra Satpathy contained in Ext.68, attested copy of OPD Ticket of Rajendra contained in Ext.69, another attested copy of the OPD ticket of MKCG Hospital in respect of Rajendra Satpathy contained in Ext.70, bed head ticket of Rajendra of MKCG Hospital contained in Ext.71, the referral of the letter of patient Rajendra of MKCG Medical college contained in Ext.72, attested copy of the OPD Register contained in Ext.73. He has also proved the endorsement and signature of Dr.J.P.Behera contained in Ext.70/1 to Ext.73/1. He has alleged in his evidence that as per the referral letter of City Hospital, Rajendra was

having some neurological problem for which he was referred to Neurology Department of MKCG Hospital contained in Ext.69 and was admitted in MKCG Hospital on 28.7.2005. He has further testified that a junior doctor has recorded the history of the patient Rajendra in detail as per the statement of his mother in the OPD register contained in Ext.70 which reveals that Rajendra had fallen from height on 27.7.2003 at 8.30 P.M. The junior doctor has made observation on Ext.68 after examining the patient that there had been no external injury but patient was unconscious for which he was referred to Neurosurgery and the doctor of Neurosurgery department has made observation in Ext.71 that Rajendra was a mentally retarded child and the patient was asked to undergo certain tests like x-ray, citi scan. It is his specific evidence that since the guardians of the patients were not interested for x-ray and CitiScan, patient was referred to SCB Medical College, Cuttack as per Ext.72. The witness has admitted in his cross-examination that in road accident cases patient would be become unconscious and irritable. He has also admitted that the surgeon in-charge of Neurology has mentioned that Rajendra was mentally retarded, but no test in this regard has been done. P.W.19 Pramod Kumar Panigrahi has testified that he was working as Clerk-cum-cashier in M/S. Ganjam Gas, the accused Pravakar was Manager. He has further deposed that he was the registered owner of a scooter bearing No.OR-07-C-0151 which he was transferred to one Rajendra Satpathy but he has not transferred the scooter to Pravakar Mohapatra. He has not supported the prosecution allegations in any manner for which he was put leading questions by the prosecution. Similarly P.W.20, P.W.21, P.W.22, P.W.23 have not supported the

prosecution case in any manner for which they were put leading questions by the prosecution.

11. P.W.24, Chandra Bhanu Sarat Kumar Mishra, Medical Officer of Rengali Irrigation Project, Samal has testified that the I.O had seized the OPD register of that hospital contained in Ext.75 and prepared seizure list contained in Ext.74. He has stated in his evidence that the outdoor of the hospital functions from 8 A.M to 2 P.M. He has categorically deposed that on 27.4.2005 Nilamani Dehuri, Attendant and he were on duty in the outdoor. He has claimed in his evidence that as per his instruction Nilamani Dehuri was making entries in the Register relating to the patients and he is to make entries in the OPD register as per the attendance of the patients. His evidence further reveals that entries as per Sl.No.702 to 710 are in the handwriting of Nilamani Dehuri contained in Ext.75/1 and no patient had been treated relating to vehicular accident on 27.4.2005 as per the entries made in the register. His further assertion in the evidence that he had never treated any Netramani Nanda and Dutika Satpathy on 27.4.2005 relating to any injury sustained in vehicular accident. He has admitted in his evidence that there is interpolation in respect of the entries of Sl.No.703 and 705 dated 27.4.2005. It is the specific evidence of P.W.24 that information is being given to the police at the time of treatment of any person having injuries in vehicular accident and Samal Police station covers the area under Rengali Irrigation Project, Hospital. According to him, he has not reported to Samal Police station relating to any person treated in our hospital having sustained injuries in vehicular accident and he has not reported to Samal Police station relating to treatment of Dutika Satpathy and Netramani Nanda on 27.4.2005 as Indoor

patient having sustained injuries in vehicular accident. He has issued prescription in the name of D.Satpathy and N.Nanda contained in Ext.76 and Ext.77 and its contents like No.706 dated 27.4.2005 and No.703 dated 27.4.2005 are not in his handwriting which have been marked as Ext.76/1 and Ext.77/1. He cannot say the full name of D.Satpathy and N.Nanda and whether they were male or female. He has further admitted in his evidence that since there is no outdoor number he might have given the prescription in his residence and he knows Umakanta Bisi son of Smt. Satyabhama Dei, ANM of their hospital. His evidence further reveals that he had never treated any old lady produced by Umakana Bisi on 27.4.2005.

12. P.W.25 Susanta Kumar Pradhan, Asst.R.T.O. of Ganjam Chhatrapur has testified that the I.O. seized D.L. register on his production and prepared seizure list contained in Ext.78 who after retaining the certified copy of page No.25224, released the same in his zima on execution of a zimanama contained in Ext.81. He has proved the certified copy of relevant page of the D.L. register contained in Ext.80. He has deposed that as per the register, D.L.No. 6957/2003 dated 16.8.2003 was in favour of Rajendra Satpathy son of K.Chandra Satpathy, c/o. P.K.Mohapatra, Gandhinagar, Main Road, Berhampur and as per the entries in the R.C.Book of Bajaj Chetak Scooter bearing Regd. No.OR-07-C-0151 was in favour of Pramod Kumar Panigrahi which was subsequently transferred to the name of Rajendra Satpathy w.e.f 11.11.2004. According to him on the basis of the affidavit filed by the transferor and transferee along with the application form No.29 and 30 (M.V.Act), transfer is being effected, but presence of both parties was not being enforced at the time of effecting transfer and M.V.I is authorised

to issue the driving licence. It is the specific evidence of P.W.25 that due to pressure of work it was not possible for the MVI to strictly scrutinise all the documents and physical verification. He has admitted in his cross-examination that he has granted the driving licence to Rajendra Satpathy contained in Ext.D and he has proved his signatures on the driving licence as Ext.D/1 and Ext.D/2. P.W.26 Dr. B.Simanchalam, Medical Officer, Narendrapur P.H.C. (New) has deposed that Dr.K.R.K. Bihari was his predecessor and as per the requisition made by the C.B.I. Authority he had supplied the information in Ext.82 that Dr.K.R.K. Bihari was not working in the above PHC on 27.4.2005 and no information had been sent to the concerned police station from that PHC relating to either treatment or death of the above two persons. He has produced the OPD register of Narendrapur PHC for the period from 8.12.2004 to 19.6.2005, attested copy of the OPD register dated 27.4.2005, original charge report and attested copy of charge report which had been seized by the I.O. contained in the seizure list Ext.83. He has proved the attested copy of the OPD register dated 27.4.2003 as Ext.85 and attested copy of the charge report as Ext.86. It is the specific evidence of P.W.26 that on 27.4.2005 he was the Medical Officer of the Narendrapur PHC and there is no entry in the OPD register relating to treatment or death of Netramani Nanda wife of late Kapileswar Nanda and Dutika Satpathy wife of late Ratnakar Satpathy contained in Ext.85 and he has not granted the certificate contained in Ext.87 and Ext.88. In course of cross-examination by the learned defence counsel, P.W.26 has admitted that he has taken charge from Dr.K.R.N.Behera which appears from the charge report Ext.86. He has further admitted that he cannot say if Dr.K.R.K is a private practitioner and

brother of Dr. K.R.N Bihari. He has denied to the defence suggestion that he had not taken charge of the office from Dr.K.R.K.Bihar but from Dr.K.R.N.Bihari. P.W.27 Babi Panigrahi has stated in his evidence that he was the driver under the proprietor of M/S.Ganjam Gas where the accused Pravakar Mohapatra was working as the Manager. It is his specific evidence that Pravakar was residing in the first floor of the building of M/S. Ganjam Gas with whom Netramani Nanda and Dutika Satpathy were also residing in the same building. As this witness has not supported the prosecution case in any manner for which he was put leading questions by the prosecution. P.W.28 Dr. Indira Kumar Rath, Medical Officer –cum- Registrar of Birth and Death, Kanhia C.H.C. has testified that village Kulabir and Ranjana comes under the above C.H.C.. He has further testified that the I.O had seized the original register of the Birth and Death of Kaniha CHC contained in Ext.89. According to him, the I.O retaining the certified copy of page No. 2, 18, 42 and 65 of the Register, released the same in his zima contained in Ext.91. It is the specific evidence of P.W.28 that he had supplied information under Ext.92 to the C.B.I. with a report that Dutika @ Duti @ Gouri died on 14.11.2007 due to old age at the age of 102 in her residence at village Ranjana and her death has been registered in Birth and Death Register on 20.11.2007 bearing Regd. No. 604. He has further deposed that the I.O had seized the report of Santilata Satpathy contained in Ext.94 and prepared seizure list contained in Ext.93. His evidence further reveals that an enquiry had been conducted by one Jamuna Mishra Health worker after receipt of report of Santilata and Jamuna Mishra submitted her inquiry report contained in Ext.94 in which Santilata has signed. He has further

testified that the application filed by Santilata for grant of death certificate of Gouri Satpathy contained in Ext.95 has been prepared by the I.O and prepared seizure list contained in Ext.93. P.W.28 has deposed that as per the requisition of the C.B.I. Authority he supplied information with a report under Ext.96 that Netramani died on 20.4.2007 at village Kulabir at the age of 91 due to old age and death of Netramani has been registered on 1.5.2007 bearing Regd.No. 244. He has proved the inquiry report submitted by Renubala Mohapatra, Health worker contained in Ext.97. It is the specific evidence of P.W.28 that two inquiry reports submitted by Binodini Samal, Health Worker and Mini Behera, Asha Karmi contained in Ext.99 and Ext.100 are basing on the reports entries have been made in the Registrar of Birth and Death. His categorical evidence is that Mini Behera has submitted the death report in the prescribed form contained in Ext.101.

13. P.W.29 Debasis Swain, Manager Operation Axis Bank Berhampur has stated that the I.O seized the account opening form of S.B. Account of Rajendra Satpathy bearing A/c No.212010100025160 and prepared seizure list contained in Ext.102. It is the specific evidence of P.W.29 that Laxmikanta Satpathy, Branch Manager had submitted information contained in Ext.105 to the C.B.I. with a report that no document was available in the Bank relating to death of Rajendra in an accident and it was a dormant account where Jollyrani Mohapatra has been described as nominee. P.W.30 PabitraMohan Satpathy resident of village Kulabir has deposed that he know late Netramani Nanda who died because of old age and Susila Satpathy is only daughter in-law of Netramani Nanda. He has further deposed that Susila Satpathy and her husband Ananta

Satpathy were residing in the house of Netramani Nanda. It is the specific evidence of P.W.30 that Jollirani Satpathy is the daughter of Susila Satpathy. He has admitted during cross-examination that as he had been staying at Bhaliabeda which is 15 K.Ms away from his village, he cannot say the date and year when Netramani died. P.W.31 Keshaba Chandra Satpathy who was working then a teacher at Ranjana for 18 years has deposed that he knows Dutika wife of late Ratnakar and Dutika died because of her old age at Ranjana. He has further deposed that the names of Rajendra Satpathy and Dutika Satpathy are not in the admission register and School records of Ranjana Primary School. His evidence further reveals that he know Netramani Nanda who belongs to village Kulabir but he cannot say how Netramani died. He has admitted in the cross-examination that he has not verified the admission register and records of Ranjana Primary School to know whether the names of Dutika and Rajendra find place therein. Similarly he cannot say how and when Dutika and Rajendra died. P.W.32 Dukhabandhu Behera who was in charge of Headmaster of Siaria Project U.P. School that as per the requisition of the S.P. C.B.I. he had intimated with a report to the C.B.I. that the certificate in the name of Netramani Satpathy purportedly sent from their school contained in Ext.107. He has also intimated to the S.P. C.B.I. that the certificate in the name of Dutika Nanda purportedly sent by our school contained in Ext.109. He has further deposed that he verified admission register, certificate issue register and found that no such student had been admitted in the school and no certificate under Ext.107 and Ext.109 had been issued from their school as no headmaster by the name A.Satpathy had ever been in their School. It is his specific evidence that he has not signed

on Ext.107 and Ext.109 and the seal appearing in Ext.107 & Ext.109 are not of their school. During cross-examination, P.W.32 has admitted in his evidence that he was not the Headmaster of the School during the year 2004 and he has not mentioned the years of the Admission register and certificate issue register. He has also admitted in cross-examination that he was not directed to make inquiry or verification in respect of Dutika Satpathy and Netramani Nanda but directed to verify in respect of Dutika Nanda and Netramani Satpathy. It is his admission that Ext.107 and Ext.109 are not School certificates.

14. P.W.33 Ajaya Kumar Tyadi who was working as Headmaster of K.C.Town High School, Berhampur has deposed that there is Oriya medium teaching in the school as it is a Govt. High School which was established in the year 1961. He has further testified that as per the requisition of the C.B.I. he submitted a report after verifying the admission register, T.C. application form and attendance register that no such student by the name Rajendra Satpathy , s/o. Kanhu Charan Satpathy was ever reading in the above School contained in Ext.111. He has admitted in his cross-examination that Ext.111 does not reveal which register or records exactly he had verified. P.W.34 Dr. Ram Mohan Parida, Registrar of Birth and Death -cum- Health Officer, Berhampur Municipality has testified that he had cancelled the death certificate issued in favour of Dutika Satpathy wife of late Ratnakar Satpathy of Kaniha relating to Registration No. 1161 dated 20.5.2005 and death certificate issued in favour of Netramani Nanda wife of late Kapileswar Nanda bearing Regd. No. 1162 dated 20.5.2005 on the basis of investigation made by S.P., C.B.I. , report of Medical officer in-charge -cum- Registrar, Birth and Death , PHC Kaniha and

report of S.P. Angul. He has proved his cancellation order contained in Ext.112 and Ext.113 and his signatures have been marked Ext.112/1 and Ext.113/1. His evidence further reveals that the I.O. seized the original death register Part-1 for the year 2005 containing page 1 to 99 from his possession and after retaining the certified copies of relevant pages, released the original register in his zima and prepared seizure list contained in 114. He has specifically stated that the name of Dutika Satpathy appears at Sl.No.1161 and the name of Netramani Nanda appears at Sl.No.1162 in the relevant pages contained in Ext.116. It is the specific evidence of P.W.34 that Dr.S.G.Biswal who was his predecessor has submitted death application, death report and connected documents relating to death registration of Netramani Nanda, Dutika Satpathy and Rajendra Satpathy. According to him one Pravakar Mohapatra had given the application for death registration for the above persons contained in Ext.5 to Ext.10. P.W.34 had admitted in his cross-examination that death certificate is issued by the concerned Registrar-cum- Health Officer after due verification of the connected documents. He has further admitted that he has not called for the death certificate issued by Dr. S.G.Biswal for cancellation and not mentioned against the entry No.1161 and No.1162 that the death certificate given by Dr.S.C.Biswal have been cancelled. He has denied to the defence suggestion that under influence of C.B.I. he has cancelled the certificate after two years.

15. P.W.35 Umakant Bishi has stated in his evidence that he had been staying at Samal Medical Colony for the last 30 years as his mother Satyabhama Dei was serving as Auxillary Nursing Midwife there. He has further deposed that he knows

Netramani Nanda and Dutika Satpathy. As this witness has not supported the prosecution case in any manner for which he was put leading questions by the prosecution. But while cross-examining by the defence, he has admitted that one Mishra Babu, he and others removed Dutika and Netramani to Samal Medical Hospital and on the advice of Dr. C.S.K.Mishra, the injured Dutika and Netramani were shifted to Berhampur Medical College Hospital but on the way the injured persons died. P.W.36 Bijay Chandra Acharya, the then Branch Manager Co-Operative Urban Bank, Bhapur Bazar, Berhampur has deposed that the C.B.I. had seized the documents i.e. account opening form relating to A/c no.1547 in the name of Dutika Satpathy wife of late Ratnakar Satpathy which was allowed by his predecessor contained in Ext.102, Photocopy of the ledger in respect of the account No.1546 contained in Ext.122 and prepared seizure list contained in Ext.117. He has further testified that after retaining the certified copy of the above documents, originals have been released in his zima on execution of a zimanama contained in Ext.118. It is his specific evidence that no photograph of the account holders have been affixed in the account opening forms. P.W.37 Nirmal Chandra Mishra the then Sub-Collector-cum-Electoral Registration officer, Talcher has deposed that village Ranjana and Kulabir comes under his jurisdiction and as per the requisition of the C.B.I he had submitted the details of electoral of Dutika Satpahty of Ranjana and Netramani Nanda of Kolabir after referring to the records contained in Ext.123. He has admitted in his cross-examination that voter identity card is only for identification. He has denied to the suggestion of the defence that the age as reflected in voter identity card is not correct. P.W.38 Pitambara Samal who was working then Tahasildar

Kanhia has deposed that village Ranjana and Kulabir comes under his jurisdiction and he has submitted the annual income and legal heirs of Dutika Satpathy, Kanhu Charan Satpathy and Ranjana Satpathy as well as Netramani Nanda wife of Kapileswar Nanda of village Kolabir to the C.B.I. contained in Ext.124. While cross-examining by the defence he has admitted that he cannot say the actual annual income of Dutika Satpathy and Netramani Nanda is much more than what he has stated in his report.

16. P.W.39 Maheswar Sethi, Asst. Supdt. of Post in the office of the Supdt. Cuttack South Postal Division has deposed that C.B.I. Inspector A.K.Mishra had collected the specimen signatures of one Pravakar Mohapatra on some white sheet of papers in which he has signed in each sheet of paper as a witness. But neither he has proved the papers containing the specimen signatures of the accused nor his signature. P.W.40 Devaraj Choudhury Branch Manager, Co-Operative Bank, Bhapur bazaar Evening Branch, Berhampur has deposed that the accused Pravakar Mohapatra had opened an account in their Bank. He has further testified that one Smt. Netramani Nanda and one Dutika Satpathy had opened a saving bank account each in their name and accused Pravakar was introducer for them. He has admitted in his cross-examination that the accused was introducer for Ramesh Ch.Satpathy, Bidyadhar Nayak and Dandapani Rout. P.W.41 Dhilon Mishra has stated that he was introduced to Pratap Tripathy, Rajkishore Samal and Prakash Ch. Patra who were working as agents in LIC of India by the Inspector of C.B.I. A.K.Mishra and they identified their signatures on proposal forms of LIC in respect of Dutika Satpathy, Rajendra Satpathy and Netramani Nanda. His evidence further reveals that Inspector C.B.I. A.K.Mishra

obtained specimen signatures of the above agents on some blank papers in which he put his signatures. He has proved the documents containing specimen signatures of the above named agents contained in Ext.125, Ext.126 and Ext.127. P.W.42 Banamali Singh has deposed that on 21.4.2008 he met with the C.B.I. Inspector Sri A.K.Mishra who introduced him with Mahendra Kumar Padhy, Ajaya Kumar Das, Saroj Kumar Sahu and Pitabash Sahu who were working as agents and Development officers in the LIC Berhampur Division and Cuttack Division. He has further deposed that Inspector of C.B.I. showed them LIC proposal forms in the name of Rajendra Satpathy, Dutika Satpathy and Netramani Nanda and obtained their specimen signatures on some blank papers. He has proved the documents bearing the specimen signatures of the above persons contained in Ext.128 Ext.129, Ext.130 and Ext.131. He has alleged in his evidence that Saroj Kumar Sahu written in Oriya as Dutika Satpathy in a piece of paper contained in Ext.133. He has proved the document bearing the initials of Saroj Kumar Sahu contained in Ext.132. It is pertinent to note that Saroj Kumar Sahu is not accused in this case. P.W.43 Pitabash Pradhan has deposed that on 8.11.2007 he met the Inspector of Police, C.B.I. Sri A.K.Mishra and he along with other C.B.I. staff went to the house of Pankaj Satpathy near Jagamara and C.B.I. staff searched the house of Pankaj Satpathy in his presence and recovered some LIC documents under Ext.37 to Ext.41 and prepared seizure list contained in Ext.36. His signatures on the seized documents have been marked Ext.37/1 to Ext.39/1, and Ext.40/4 to Ext.40/7. P.W.44 A. Ahamad has testified that on 8.11.2007 C.B.I. staff searched the house of Pankaj Satpathy in his presence and recovered some LIC

documents under Ext.37 to Ext.41 and prepared seizure list contained in Ext.36. He has put his signature on those documents and Ext.37/2 to Ext.39/2 and Ext.40/8 to Ext.40/10 are his signatures.

17. P.W.45 Pratap Chandra Gouda that on 15.10.2008 the C.B.I. seized the O.P.D register from the City Hospital on his production and prepared the seizure list contained in Ext.134. It is the specific evidence of P.W.45 that Rajendra Satpathy was referred to MKCG Medical College Hospital, Berhampur from the City Hospital Berhampur for his medical treatment. P.W.46 Deepak Kumar Ray has testified that on 8.11.2007 C.B.I. Officer A.K.Das searched the house of Pravakar Satpathy and Jollirani Mohapatra at Gandhinagar who recovered and seized account forms, LIC certificates and other connected documents and prepared seizure list contained in Ext.128. He has further testified that Jollirani Mohapatra and Pravakar Mohapatra had signed in the seizure list in his presence and he know the accused Pravakar Mohapatra standing in the dock. P.W.48 Biprabara Nayak has testified that the case of the patient Rajendra Satpathy was referred from City Hospital Berhampur to MKCG Medical College, Hospital Berhampur and he was admitted in the medical college hospital at 10.45 A.M.. His evidence further reveals that he found no external injury on the body of the patient and he was treated as Indoor patient for one day. It is the specific evidence of P.W.48 that he referred the patient to SCB Medical College and Hospital, Cuttack and he was discharged from MKCG Medical College on 29.7.2005 at 11.45 A.M. He has admitted in his cross- examination that no x-ray or Cityscan has been done in respect of the patient in MKCG Medical College and Hospital as attendants refused. P.W.49

Nilamani Dehury has deposed that he has made entry from Sl.No. 702 to Sl.No.716 on 27.4.2005. in the OPD register of Rengali Irrigation Project Hospital, Samal but there has been over writing in Sl.No.703 and Sl.No.705 in pen of Blank ink. It is the specific evidence of P.W.49 that the register does not reveal any accident case. During cross-examination he has admitted that on 27.4.2005 he was ward attendant in the aforesaid hospital and the OPD register remains in his custody during the duty period. He has further admitted in his cross- examination that he has no knowledge about the accident case and he does not know whether the Dr. Chandrabhanu Sarat Kumar Mishra had referred the case of N.Nanda and D.Satpathy to MKCG Medical College, Berhampur or Cuttack for further treatment. P.W.50 Mini Behera, Asha Karmi has testified that in case of death they do not make in inquiry. As the witness did not support the prosecution, he was put leading questions by the prosecution.

18. P.W.51 Ajay Kumar Das has deposed that he was Development officer of LIC at Anugul and he know the accused Pravakar standing in the dock as he was looking after the LIC policy of Rajendra Satpathy. It is the specific evidence of P.W.51 that while accepting a proposal they verify the income and age of the proposer. P.W.52 Saroj Kumar Sahu LIC Agent has testified that he identified the accused Pravakar Mohapatra standing in the dock. He has further deposed that in his capacity as an LIC agent he had given proposal for two policies in the name of Rajendra Satpathy, one policy in the name of Netramani Nanda and one policy in the name of Dutika Satpathy. His evidence further reveals that he met them at Berhampur for the policy and the policies were prepared in the house of Pravakar

Mohapatra whose wife Jollirani Mohapatra was nominee for all the above policy holders and Jollyrani Mohapatra is the niece of Dutika Mohapatra. It is the specific evidence of P.W.52 that the policy holders had produced the documents as required under the LIC manual and the policies were made under the LIC Cuttack Division. According to him Dutika Satpathy belongs to village Ranjana and Netramani Nanda belongs to village Kulabir in the district of Anugul but he has not idea about any claim made by the Policy holders. It is manifest that the evidence of the prosecution stands discredited.

19. Defence cross-examination has brought out serious admissions in the evidence of P.W.9. It has been materially elicited in the cross- examination of P.w.9 that he has no knowledge as to when the insured Rajendra Satpathy, Dutika Satpathy and Netramani Nanda died. He has also denied his knowledge as to when death claims had been made before the Branch Manager on 24.11.2005. His further admission is that nominees had also moved the High Court when there had been no settlement of that death claims. No less candid is his admission that FIR has been lodged six months after the order of the High Court. P.W.9 has admitted in his cross- examination that without verification of records he cannot say in which death claim cases, Pravakar Mohapatra was the nominee. It is also his admission that he does not know if such computer generated letters have been issued to Rajendra Satpathy for reviving the policies in the year 2009. P.W.9 has also admitted that he does not remember if premium at the rate of Rs.2,18,000/- in six policies had been paid for five years. The most damaging admissions appearing in the cross-examination of P.W.9 is that there had been no such loss to the L.I.C when he had lodged the

report. His further admission is that he does not remember who had accepted the proposal in the present case.

20. It is significant to note that Pravakar Mohapatra is not nominee in any of the LIC policies. The I.O. P.W.53 for the death of Rajendra Satpathy in a vehicular accident has not examined the OIC of Digapahandi P.S.. He has also not examined the Doctor who conducted the Post mortem over the dead body of Rajendra Satpathy. There is total want of evidence regarding deficit income of the deceased persons and no standard is fixed by the LIC as to what amount a person can insure his life. The Policy dockets have been exhibited by the claims Manager Sri Himansu Sekhar Das where the name of life assured, the name of the nominee and the age proof and his/her income particulars have been stated. It is also the categorical evidence of P.W.9 and P.W.12 that there has been no loss to the LIC at the time of lodging of the F.I.R.. The I.O P.W.53 has also specifically deposed that the LIC of India has sustained no loss by the time the F.I.R was lodged. What cannot be lost sight of is that although the death claim has been made by the accused Jollyrani Mohapatra in respect of the LIC Policies, the LIC of India has repudiated the claim. It, therefore, follows as a natural corollary that no loss has been caused to the LIC of India nor any pecuniary benefit has been obtained either by the agents or by the Development Officers or by the nominees. On the contrary, the LIC of India has been benefited by way of premium to the tune of Rs.14,46,720/- since LIC Policies have been made in the name of Rajendra Satpathy, Netramani Nanda and Dutika Satpathy. It appears that in course of investigation for booking LIC policies persons other than the actual policy holders have appeared for the medical examination before the penal Doctors

of LIC of India. Importantly, the prosecution has not established conclusively as to who actually appeared for medical examination personating as Rajendra Satpathy, Netramani Nanda and Dutika Satpathy. More importantly, even the Doctor who had conducted the medical examination has also failed to identify the person as life assured persons in question. The most unusual aspect of the case lies in the fact that there was no admitted signature and handwriting of the policy holders in connection with this case and none of them is alive for comparison of their signatures and handwritings on the proposal forms, medical forms and other enclosures. It is manifestly obvious from the evidence on record that all the premium of the policies in question has been paid either in cash or demand draft. Quite obviously, there is no proof as to whether any of the accused persons had made payment of premium amount on behalf of the policy holders. Undeniably, there are certain documents purported to be false or forged enclosures with the proposal form in respect of the policies in question. There is total want of evidence in proof of the fact as to who was the actual person who have obtained and created the said documents and submitted the same to LIC of India in proof of age and income. Quite understandably, the nominee here has no role to play in as much as it has not been conclusively established that the accused persons with the knowledge that the documents enclosed with the said proposals was forged inspite of using the same as genuine. Besides, the evidence on record does not establish that at any point of time either at the time of booking of LIC Policies or at the time of submission of death claim there was any meeting between Jollyrani Mohapatra the nominee, the LIC agents and Development Officers. It is worthwhile refer to

Section 45 of the Insurance Act, 1938 which contains the special provision of law. The learned counsel for the accused Jollyrani Mohapatra and Pravakar Mohapatra while contending that an Insurance Policy cannot be called in question on ground of misstatement after two years, has relied on a decision reported in 2008(1) C.J.D. (S.C.) 327 (P.C. Chacko and another –vrs- Chairman, L.I.C. of India and another where it has been held: "Section 45 postulates repudiation of such policy within a period of two years. By reason of the aforementioned provision, a period of limitation of two years had, thus, been specified and on the expiry thereof the policy was not capable of being called in question, inter alia, on the ground that certain facts have been suppressed which were material to disclose or that it was fraudulently been made by the policy holder or that the policy-holder knew at the time of making it that the statement was false. Statute, therefore, itself provides for the limitation for valid repudiation of an insurance policy. It makes into account the social security aspect of the matter". The cited decision has full application to the case of the defence.

21. P.W.9 in order to make out a case has deliberately suppressed that the agent and the Development officer are only to fill up the proposal form and submit the same along with the documents with respect to the age proof, economical status and physical health condition, before the Branch Manager of New Business section for proper verification and acceptance of policy. It is pertinent to note that in case of any doubt, the policy will not be accepted by the Branch Manager in the New Business Section. What cannot be lost sight of is that the policy-holders have supplied their Income Tax documents with respect to their economical condition and the agents have filled up a form called

as "TRUE EXTRACT FROM THE EVIDENCE OF AGE SUBMITTED" (Form No.4104-B) after comparing with the School certificates or any other document submitted by the policy holder for proof of age. It is manifestly obvious from the policy dockets and life assured of the respective policy holders have been medically examined by the authorised doctors and pathologist of LIC of India on the date of initiation of proposal. Therefore, quite obviously, the allegations against the accused regarding non-enquiry of genuine documents and physical verification of the life assured/ policy holders are baseless and false. It is another allegation that the accused persons who have been appointed as nominees for the policy holders have no insurable relationship with the policy holders. But prosecution has signally failed to produce and prove any circular or office order in proof of such an allegation. It appears from the policy as contained in Ext.47 that the name of the nominee was corrected on the basis of application of policy holder after acceptance of policy which has been marked Ext.1. In case of other policies, though the name of the nominee was filled up wrongly in the proposal form but in the policy bonds the names of nominees come under insurable relationship. It is important to note that the policy holders have been paying the due premiums in their policies to the L.I.C. of India for several years as per the rate fixed by the New Business Section of the LIC of India while accepting the policies.

22. In ultimate appraisal of the totality of the evidence on record I am driven to hold that the prosecution has failed to prove its case against the accused beyond all reasonable doubt. I, therefore, find all the accused persons not guilty of the offences under Sections 120(B), 420/ 511 of the IPC and accused Raj Kishore Samal and Pitabas Sahoo not guilty of the offence

under Section 13(2) read with Sec. 13(1)(d) of the P.C. Act, 1988 and acquit them under Sections 248(1) Cr.P.C. The bail bonds stand cancelled.

The seized documents be returned from whom seized and the zimnama, if any, be cancelled four months after the appeal period is over, if no appeal is preferred and in the event of an appeal subject to order of the Hon'ble Appellate Court.

Special Judge, C.B.I., Court No.I, Bhubaneswar.

Dictated & corrected by me and pronounced in the open court today i.e. on 27<sup>th</sup> September, 2014.

Special Judge, C.B.I., Court No.I, Bhubaneswar.

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

- P.W.1. Sasibhusan Mishra.
- P.W.2. Iswar Chandra Pradhan.
- P.W.3. Rabi Narayan Kar.
- P.W.4. Prasanta Kumar Nayak.
- P.W.5. Saraladas Mishra.
- P.W.6. Rajan Kumar Das.
- P.W.7. Rabindranath Mohapatra.
- P.W.8. Snigdha Bhanja.
- P.W.9. Bishnu Charan Pattanaik.
- P.W.10. Baidyanath Samal.

- P.W.11. Surendra Kumar Nath.  
P.W.12. Himansu Sekhar Das.  
P.W.13. Kailash Ch. Satpathy.  
P.W.14. Gunanidhi Satapathy.  
P.W.15. Sarat Chandra Nath.  
P.W.16. Jadumani Naik.  
P.W.17. Santilata Satapathy.  
P.W.18. Dr.Charan Panda.  
P.W.19. Pramod Kumar Panigrahi.  
P.W.20. Krushna Chandra Sahoo.  
P.W.21. Debendra Kumar Padhy.  
P.W.22. Babula Sahu.  
P.W.23. Dibakar Nanda.  
P.W.24. Chandra Bhanu Sarat kumar Mishra.  
P.W.25. Susanta Kumar Pradhan.  
P.W.26. Dr.B.Simanchalam.  
P.W.27. Babi Panigrahi.  
P.W.28. Dr.Indira Kumar Rath.  
P.W.29. Debasis Swain.  
P.W.30. Pabitraramohan Satpathy.  
P.W.31. Keshaba Chandra Satpathy.  
P.W.32. Dukhabandhu Behera.  
P.W.33. Ajay Kumar Tyadi.  
P.W.34. Dr.RamMohan Panda.  
P.w.35. Umakanta Bisi.  
P.W.36. Bijaya Chandra Acharya.  
P.W.37. Nirmal Chandra Mishra.  
P.W.38. Pitambara Samal.  
P.W.39. Maheswar Sethi.  
P.W.40. Devaraj Chaudhury.

- P.W.41. Dhilen Mishra.  
P.W.42. Banamali Singh.  
P.W.43. Pitambara Pradhan.  
P.W.44. A.Ahamad.  
P.W.45. Pratap Chandra Gouda.  
P.W.46. Deepak Kumar Ray.  
P.W.47. Bijan Kumar Thamba  
P.W.48. Biprabara Nayak.  
P.W.49. Nilamani Dehury.  
P.W.50. Mini Behera.  
P.W.51. Ajay Kumar Das.  
P.W.52. Saroj Kumar Sahu.  
P.W.53. Asis Kumar Mishra.

**LIST OF WITNESS EXAMINED FOR THE DEFENCE.**

- D.W.1. Pitabas Sahoo.

**LIST OF DOCUMENTS ADMITTED FOR THE PROSECUTION.**

- Ext.1. Memorandum  
Ext.1/1 Signature of P.W.1.  
Ext.1/2 Signature of Iswar Chandra Pradhan.  
Ext.2. Memorandum  
Ext.2/1 Signature of P.W.1  
Ext.2/2 Signature of Thamba  
Ext.2/3 Signature of Iswar Chandra Pradhan.  
Ext.3 Calender  
Ext.4 Seizure list  
Ext.4/1 Signature of P.W.3  
Ext.5 Original application form in respect of NetramaniNanda.  
Ext.6 Death report of Netramani.  
Ext.7. Original application form of Dutika  
Ext.8. Death report of Dutika  
Ext.9. Original application in respect of Rajendra Satpathy.  
Ext.10. Death report of Rajendra.

Ext.11 to Xerox copy of record of treatment of Rajendra.  
 Ext.11/3  
 Ext.12 Seizure list.  
 Ext.12/1 Signature of P.W.3  
 Ext.13 Copy of order prepared by Executive  
 Magistrate, Berhampur.  
 Ext.14 Xerox copy of Affidavit.  
 Ext.15 Copy of petition.  
 Ext.16. Application form filed by Kanhu Charan.  
 Ext.17. Birth report  
 Ext.18 Seizure list  
 Ext.18/1 Signature of P.W.4  
 Ext.19 Zimanama  
 Ext.19/1 Signature of P.W.4.  
 Ext.20. Xerox copy of admission register.  
 Ext.20/1 Certificate of P.W.4.  
 Ext.21 Certificate  
 Ext.22 Report of P.W.4  
 Ext.22/1 Signature of P.W.4  
 Ext.23 Seizure list  
 Ext.23/1 Signature of P.W.5.  
 Ext.24 Voter identity card of Duti  
 Ext.25 Bunch of documents  
 Ext.1/3 Signature of P.W.5 on Ext.1  
 Ext.26. Seizure list.  
 Ext.26/1 Signature of P.W.5  
 Ext.27 Documents  
 Ext.2/3. Signature of p.W.5 in Ext.2  
 Ext.28 Seizure list  
 Ext.28/1 Signature of P.W.6.  
 Ext.29 Bunch of paper  
 Ext.30 Bunch of paper.  
 Ext.31 Bunch of photocopy.  
 Ext.32 Bunch of documents  
 Ext.33 LIC file.  
 Ext.28/2 Signature of P.W.7.  
 Ext.1/4, Signature of P.W.8.  
 Ext.23/2  
 Ext.26/2,  
 Ext.2/4  
 Ext.34 FIR  
 Ext.34/1 Signature of P.W.9.  
 Ext.35 Manual for agents vol.I  
 Ext.36 Seizure list.  
 Ext.36/1 Signature of P.W.10

Ext.37 LIC Renewal receipt.  
 Ext.38 Letter from LIC to Minati Satpathy.  
 Ext.39 Nomination declaration.  
 Ext.40 to Declaration of nominee  
 Ext.40/3  
 Ext.41 Seizure list  
 Ext.41/1 Signature of P.W.11  
 Ext.1/5 Signature of P.W.11  
 Ext.42 Seizure list  
 Ext.42/1 Signature of P.W.12  
 Ext.43 Policy docket of Rajendra Satpathy.  
 Ext.43/1 Copy of the Policy.  
 Ext.43/2 Agents confidential report.  
 Ext.43/3 Proposal for policy  
 Ext.43/4 Declaration form  
 Ext.43/5 True extract form evidencing age  
 Ext.43/6 Declaration relating to income  
 Ext.43/7 Personal statement regarding health  
 Ext.44 Policy document bearing No.570631410  
 Ext.44/1 Copy of policy.  
 Ext.44/1 Copy of policy  
 Ext.44/2 Proposal form  
 Ext.44/3 True extract form evidencing age.  
 Ext.44/4 Agents confidential report.  
 Ext.44/5 EGC Report of Ranjana  
 Ext.44/6 Declaration and medical report of revival policy  
 Ext.45 Policy document bearing no. 571151649  
 Ext.45/1 Copy of the policy.  
 Ext.45/2 Agents confidential report.  
 Ext.45/3 Proposal for policy  
 Ext.45/4 Declaration form  
 Ext.44/5 True extract of form  
 Ext.45/6 Personal statement regarding health.  
 Ext.46 Policy docket for policy of Rajendra Satpathy.  
 Ext.46/1 Copy of the policy  
 Ext.46/2 Agent's confidential report.  
 Ext.46/3 Proposal for policy  
 Ext.46/4 Declaration form  
 Ext.46/5 True extract form evidencing age.  
 Ext.47. Policy docket for policy no. 570871885  
 Ext.47/1 Copy of the policy  
 Ext.47/2 Agent's confidential report.  
 Ext.47/3 Proposal form  
 Ext.47/4 True extract form evidencing age  
 Ext.47/5 Intimation relating to charge of nominee.

Ext.48. Policy docket for policy no.570871891  
Ext.48/1 Copy of the policy  
Ext.48/2 Agent's confidential report  
Ext.48/3 Proposal for policy  
Ext.48/4 Declaration form  
Ext.48/5 True extract form evidencing age  
Ext.49 Policy docket for policy of Dutika Satpathy.  
Ext.49/1 Copy of the policy  
Ext.49/2 Agent's confidential report.  
Ext.49/3 Proposal for policy  
Ext.49/4 Declaration form  
Ext.49/5 True extract form evidencing age.  
Ext.50 Policy docket for policy of Dutika Satpathy  
Ext.50/1 Copy of policy  
Ext.50/2 Agent's confidential report  
Ext.50/3 Proposal for policy  
Ext.50/4 Declaration form  
Ext.51 Policy document for policy of N.Nanda  
Ext.51/1 Copy of the policy  
Ext.51/2 Agent's confidential report.  
Ext.51/3 Proposal for policy  
Ext.51/4 Declaration form  
Ext.51/5 True extract form evidencing age.  
Ext.52 Policy document for policy no.570888759  
Ext.52/1 Copy of the policy  
Ext.52/2 Agent's confidential report.  
Ext.52/3 Proposal for policy  
Ext.52/4 Declaration form  
Ext.53 Seizure list  
Ext.53/1 Signature of P.W.12  
Ext.54 Death intimation  
Ext.55 Death intimation  
Ext.56 to Death intimation  
Ext.58  
Ext.59 Xerox copy of death certificate of N.Nanda.  
Ext.60 Xerox copy of death certificate of D.Satpathy  
Ext.61 Xerox copy of death certificate of R.Satpathy  
Ext.62 Status report  
Ext.63 Seizure list  
Ext.63/1 Signature of P.W.12.  
Ext.64 Underwriting manual two volumes  
Ext.65 Manual  
Ext.1/6 Signature of P.W.13  
Ext.1/7 Signature of P.W.14  
Ext.2/5 Signature of P.W.15

Ext.2/6 Signature of P.W.16.  
 Ext.23/3 Signature of P.W.17.  
 Ext.66 Signature of the husband of P.W.17.  
 Ext.67 Forwarding letter 9.9.08  
 Ext.67/1 Signature of J.P.Behera.  
 Ext.68 Bed head ticket  
 Ext.68/1 Endorsement of Dr. J.P.Behera.  
 Ext.69 Attested copy of OPD ticket  
 Ext.69/1 Endorsement of J.P.Behera.  
 Ext.70 Attested copy.  
 Ext.70/1 Signature of J.P. Behera.  
 Ext.71 Bed head ticket of MKCG Hospital Berhampur  
 Ext.71/1 Endorsement of J.P.Behera  
 Ext.72 Referral letter  
 Ext.72/1 Endorsement of Dr.J.P.Behera.  
 Ext.73 Attested copy of Register.  
 Ext.73/1 Endorsement of J.P.Behera.  
 Ext.2/7 Signature of P.W.23  
 Ext.74 OPD register of Rengali Irrigation Project Samal  
 Ext.74/1 Signature of Dr. P.N.Nayak  
 Ext.75 OPD Register of Hospital.  
 Ext.75/1 Entries in Sl.No.702 to 710 in the OPD register of the Hospital.  
 Ext.76 Prescription issued by P.W.24 in the name of D.Satpathy.  
 Ext.76/1 Contents of No.706 dated 27.4.2005.  
 Ext.77 Prescription issued by P.W.24 of N.Nanda  
 Ext.77/1 Entry No.703 dt.27.4.2005.  
 Ext.78 Seizure list.  
 Ext.78/1 Signature of P.W.25.  
 Ext.79 Certified copy of D.L register.  
 Ext.80 Certified copy of R.c.Book.  
 Ext.81 Zimanama  
 Ext.81/1 Signature of P.W.25.  
 Ext.82 Letter  
 Ext.82/1 Signature of P.W.26  
 Ext.83 Seizure list  
 Ext.83/1 Signature of P.W.26  
 Ext.84 Zimanama  
 Ext.84/1 Signature of P.W.26  
 Ext.85 Attested copy of OPD Register dt. 27.4.05  
 Ext.86 Attested copy of charge report  
 Ext.87 Certificates.  
 and 88

Ext.89	Certified copy of Birth and Death register.
Ext.90	Certified copy of birth and death register
Ext.91	Zimanama
Ext.91/1	Signature of P.W.28
Ext.92	Information
Ext.92/1	Signature of P.W.28
Ext.93	Seizure list
Ext.93/1	Signature of P.W.28
Ext.94	Inquiry of death report
Ext.94/1	Signature of JamunaMishra.
Ext.95	Application
Ext.96	Requisition relating to death of N.Nanda
Ext.96/1	Signature of P.W.28 on Ext.96.
Ext.97	Enquiry report of Renubala Mohapatra, Health worker.
Ext.97/1.	Signature of Reubala on Ext.97.
Ext.98	Seizure list.
Ext.98/1	Signature of P.W.28
Ext.99	Enquiry report submitted by B.Samal.
Ext.99/1	Signature of Binodini samal
Ext.100	Enquiry report submitted by Mini Behera, Healthy worker.
Ext.100/1	Signature of Mini Behera
Ext.101	Death report submitted by M.Behera
Ext.101/1	Signature of M.Behera
Ext.102	Seizure list
Ext.102/1	Signature of P.W.29 on Ext.102
Ext.103	Zimanama
Ext.103/1	Signature of P.W.29
Ext.104	Certified copy of the Account opening form in the name of R.Satpathy.
Ext.105	Information submitted by Branch Manager, Laxmikanta Satpathy.
Ext.105/1	Signature of Laxmikanta Satpathy on Ext.105
Ext.106	Letter
Ext.107	Copy of original certificate
Ext.108	Letter
Ext.109	Certificate
Ext.110	Letter
Ext.110/1	Signature of P.W.32
Ext.110/2	Sample seal of the school.
Ext.111	Letter
Ext.111/1	Signature of P.W.33
Ext.112	Order of cancellation
Ext.112/1	Signature of P.W.24.

- Ext.113 Relevant cancellation order
- Ext.113/1 Signature of P.W.34
- Ext.114 Seizure list
- Ext.114/1 Signature of P.W.34.
- Ext.115 Zimanama
- Ext.115/1 Signature of p.W.34
- Ext.116 Relevant pages duly certified by P.W.34
- Ext.116/1 Endorsement and signature of P.W.34
- Ext.6/1 Signature of Dr.Biswal on Ext.6
- Ext.8/1 Signature of Dr.Biswal on Ext.8
- Ext.10/1 Signature of Dr.Biswal on Ext.10.
- Ext.117 Seizure list
- Ext.117/1 Signature of p.W.36
- Ext.118 Zimanama
- Ext.118/1 Signature of P.W.36.
- Ext.119 Account opening form A.C No.1546
- Ext.120 Account opening form AC No.1547
- Ext.121 Photocopy of ledger.
- Ext.122 C.C of ledger A/c 1547
- Ext.123 Relevant report submitted by P.W.37
- Ext.123/1 Signature of P.W.37
- Ext.124 Relevant documents containing information submitted by P.W.38
- Ext.124/1 Signature of P.W.38 on Ext.124
- Ext.125 Specimen signature of R.K.Samal.
- Ext.125/1 Signature of P.W.41 on Ext.125
- Ext.126 Specimen signature of Pratap Ch.Tripathy
- Ext.126/1 Signature of P.W.41 on Ext.126
- Ext.127 Specimen signature of Prakash Ch.Patra
- Ext.127/1 Signature of P.W.41 on Ext.127
- Ext.128 Specimen signature and writing of Pitabas Sahoo
- Ext.128/1 Signature of P.W.42 on Ext.128
- Ext.129 Document bearing initials of Ajaya kumar Das
- Ext.129/1 Signature of P.W.42 on Ext.129
- Ext.130 Documents bearing specimen signature of Mahendra Kumar Padhy.
- Ext.130/1 Signature of P.W.42 on Ext.130
- Ext.131 Document bearing the writing of Saroja Kumar Sahu
- Ext.131/1 Signature of P.W.42 in Ext.131.
- Ext.132 Document bearing initials of Saroj Kumar Sahu.
- Ext.132/1 Signature of P.W.42 on Ext.132.
- Ext.133 Saroj Kumar Sahu written in Oriya as Dutika

Satpathy in a piece of papers.

Ext.133/1 Signature of P.W.42 on Ext.133.

Ext.36/2 Signature of P.W.43 on Ext.36

Ext.37/1, Signature of P.W.43 on Ext.37, 38, 39 and 40.

Ext.38/1,

Ext.39/1,

Ext.40/4,

Ext.40/5,

Ext.40/6

Ext.40/7.

Ext.36/3 Signature of P.w.44 on Ext.36.

Ext.37/2, Signature of P.W.44 on Ext.37, 38, 39 and 40.

Ext.38/2,

Ext.39/2,

Extg.40/8

to

Ext.40/11

Ext.134 Relevant seizure list

Ext.134/1 Signature of P.W.45 on Ext.134.

Ext.135 Certified copy of extract of OPD register of City Hospital Berhampur.

Ext.128/2 Signature of P.W.46 on ext.128

Ext.23/4 Signatgure of P.W.47 on ext.23

Ext.1/8 Signature of P.W.47.

Ext.26/2 Signature of P..47

Ext.2/2 Signature of P.W.47

Ext.68/2 Signature of P.W.48

Ext.136 Plain paperFIR

Ext.136/1 Signature of S.P. C.B.I. on Ext.136

Ext.136/2 Formal FIR

Ext.136/3 Signature of the S.P.C.B.I.

Ext.42/2 Signature of P.W.53.

Ext.23/5 Signature of P.W.53 on Ext.23

Ext.1/9 Signature of P.W.53 on Ext.1

Ext.26/3 Signature of P.W.53 on Ext.26

Ext.2/9 Signature of P.W.53

Ext.41/2 Signature of P.W.53

Ext.53/2 Signature of P.W.53

Ext.63/2 Signature of P.w.53

Ext.18/2 Signature of P.W.53

Ext.19/2 Signature of P.W.53.

Ext.2/4 Signature of P.W.53.

Ext.137 Relevant letter

Ext.74/2 Signature of P.w.53

Ext.89/2 Signature of P.W.53

Ext.91/2 Signature of P.W.53  
 Ext.98/2 Signature of P.W.53.  
 Ext.93/2 Signature of P.W.53.  
 Ext.102/2 Signature of P.W.53  
 Ext.134/2 Signature of P.W.5.3  
 Ext.138 Zimanama  
 Ext.138/1 Signature of P.W.53  
 Ext.78/2 Signature of P.W.53 on Ext.78  
 Ext.83/2 Signature of P.W.53 on Ext.83  
 Ext.84/2 Signature of P.W.53  
 Ext.114/2 Signature of P.W.53  
 Ext.115/2 Signature of P.W.53  
 Ext.139 Relevant seizure list  
 Ext.139/1 Signature of P.W.53  
 Ext.140 Relevant letter  
 Ext.140/1 Notice Ganjam Gas  
 Ext.140/2 Registration certificate of Ganjam Gas  
 Ext.141 Relevant letter  
 Ext.141/1 Voter list  
 Ext.142 Sanction order  
 Ext.143 Sanction order in respect of accd. R.K.Samal.

**LIST OF DOCUMENTS ADMITTED FOR THE DEFENCE.**

Ext.A. Computer generated letter of LIC  
 Ext.B. Intimation to Rajendra Satpathy.  
 Ext.C. R.C.Book of Rajendra Satpathy.  
 Ext.D. Driving licence of Rajendra Satpathy.  
 Ext.D/1 and D/2. Signature of P.W.25.  
 Ext.E. Death certificate of Gouri Satpathy.  
 Ext.F Information sheet  
 Ext.F/1 to Ext.F/4 Information sheets of Policies  
 under Ext.48 to 51.  
 Ext.G. Documents.  
 Ext.H to Ext.N. Signatures of Manager, N.B.Section. Ext.O  
 Ext.P and Ext.R Income Tax returns.

**LIST OF MATERIAL OBJECTS ADMITTED BY THE PROSECUTION.**

M.O.I to V.	Photograh of Dutika
M.O.VI.	Negatives of Photograph.
M.O.VII.	Sealed envelope containing video reel of Dutika
M.O.VIII.	Photograph of Netramani.

Special Judge, C.B.I. Court No.1, Bhubaneswar.