

DEPOSITION OF WITNESS
(Chapter XXIII code of Criminal Procedure)
In the Court of XI Additional Special Judge for CBI Cases
(CBI Cases Relating to Banks and Financial Institutions)
Chennai - 600 001.

Calendar Case : C.C. No. 27/2015
Deposition of witness for : PW 5
Name : Mr. Basanta Kumar Nayak
Father's / Husband's Name :
Address for Communication :
Village :
Taluk :
Calling :
Religion & Caste :
Age : years Mobile:

Solemnly affirmed in accordance with the provisions of Act X of 1873 on this the 13th day of March, 2018.

Chief Examination:

Presently I am doing business in the name and style of M/s.Davaleshwar Institute of Polytechnic at Cuttack, Odisha. From 1993 to 2016, I worked as Probation officer to Chief Manager in Oriental Bank of Commerce and in 2014 I was working as Branch Manager, Oriental Bank of Commerce, Hubli, Karnataka. While I was working in Hubli branch, one OD a/c bearing no.08735015002154 in the name of M/s.Jay Pee Enterprises, Plot No.63, Door no.1, Kurinji Street, Fathima Nagar, Valasaravakkam, Chennai owned by its proprietor A3 Gyanaranjan Pradhan was found to be closed. The account was opened on 5.8.2013. The OD limit to the extent of Rs.74 lakhs was sanctioned on 4.8.2013 and the same was sanctioned by me. Subsequently, the limit was enhanced to Rs.1,30,00,000/- on 13.11.2013. The facility was closed by the account holder on 8.3.2014.

The OD account opening form of M/s. Jay Pee Enterprises signed by A3 Gyanaranjan Pradhan with Oriental Bank of Commerce, Hubli signed by the account holder along with the certificate of registration, copy of PAN card, copy of ration card and its photographs are marked together as **Ex.P.105 Series (13 sheets)**. (D157)

The certified copy of statement of account of M/s. Jay Pee Enterprises with Oriental Bank of Commerce for the period from 1.12.2013 to 4.10.2014 is now marked as **Ex.P.106 (7 sheets)**. (D158)

As per Ex.P.106, on sheet no.2 on 17.12.2013 an amount of Rs.12,50,000/- was credited by way of RTGS from the account of M/s.MD Bricks. Similarly on 20.12.2013 an amount of Rs.2,50,000/- was also credited by way of RTGS from M/s.MD Bricks.

As per Ex.P.106, sheet no.4 on 25.1.2014 an amount of Rs.15,00,000/- was credited by way of RTGS from M/s.MD Trade Corporation. Similarly, on page no.5 on 4.2.2014 an amount of Rs.5,00,000/- was credited by way of RTGS from the account of M/s.MD Trade Corporation. On the same page on 6.2.2014, an amount of Rs.2,00,000/- was credited by way of RTGS from M/s.MD Bricks.

Now I am shown 3 cheques bearing nos. 558276 for Rs.9,90,000/- dated 28.2.2014, cheque no.558277 for Rs.3,40,000/- dated 1.3.2014, and cheque no.558278 for Rs.9,95,000/- dated 5.3.2014 all issued by M/s. Jay Pee Enterprises signed by Gyanaranjan Pradhan for withdrawing cash from the OD account of Oriental Bank of Commerce, Hubli and they are marked together as **Ex.P.107 Series (3 cheques)**. (D164, D165, D166)

Now I am shown cheque bearing no.747733 for Rs.1,02,500/- dated 30.12.2013 of M/s.Jay Pee Enterprises drawn on the OD account with Oriental Bank of Commerce, Hubli for transferring the funds to current

account maintained by Jay Pee Enterprises with Oriental Bank of Commerce, Esplanade branch, Chennai. The cheque along with the pay-in-slip for effective transfer are marked together as **Ex.P.108 (2 sheets)**.

Now I am shown cheque bearing no.747737 for Rs.2,20,000/- dated 31.12.2013 of M/s.Jay Pee Enterprises drawn on the OD account with Oriental Bank of Commerce, Hubli for transferring the funds to current account maintained by Jay Pee Enterprises with Oriental Bank of Commerce, Esplanade branch, Chennai. The cheque along with the pay-in-slip for effective transfer are marked together as **Ex.P.109 (2 sheets)**.

The transfer debit voucher dated 4.2.2014 of Oriental Bank of Commerce, Hubli branch for a sum of Rs.1,44,000/- for transfer the said amount to the account of M/s. Jay Pee Enterprises with Esplanade branch, Chennai from the OD account of Jay Pee Enterprises with Oriental Bank of Commerce, Hubli. The transfer debit voucher along with corresponding credit voucher authenticated by A3 Gyanaranjan Pradhan are marked together as **Ex.P.110 (2 sheets)**.

I have been examined by CBI in this regard.

Cross examination by A1, A2, A3, A4, A5, A6 reported no cross.

Re-examination - NIL