

**IN THE COURT OF SUB DIVISIONAL JUDICIAL MAGISTRATE,
BHUBANESWAR**

Present:- Sri Amit Kumar, L.L.M.,
Sub Divisional Judicial Magistrate,
Bhubaneswar.

JO Code No. OD-00670

[Dated this the 15th day of April, 2026]

C.T Case No. 799/2023

T. R. No. 339/2024

Com. No. 799/2023

(Arising out of STF P.S. Case No. 10 dtd. 12.05.2023 U/s.
419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act)

Complainant	State of Odisha
Represented By	Sri Rashmi Ranjan Brahma, Learned Special P.P., Bhubaneswar.
Accused Persons	<p>1. Pathani Samanta Lenka (38), S/o. Late Purna Chandra Lena residing at- Badapandusar, P.S- Itamati, District- Nayagarh,</p> <p>2. Saroj Kumar Nayak @ Amit (29), S/o. Suresh Nayak resident of village- Sakeni, P.S- Dasapalla, District- Nayagarh, at/pr- Near ITI College, Achyutanagar, Lane-2, District- Nayagarh,</p>

	<p>3. Soumya Ranjan Pattanaik (22), S/o. Binay Kumar Pattanaik residing at- Udayapur, Sujanpur, P.S- Bariramachandrapur, District- Jajpur,</p> <p>4. Pradyumna Kumar Sahoo @ Pinku (35), S/o. Binay Kumar Pattanaik residing at- Mahimata, P.S- Nuagaon, District- Nayagarh,</p> <p>5. Pritam Kar @ Bapun (34), S/o. Dushasan Kar residing at- Bhurunga, P.S- Bari Ramachandrapur, District- Jajpur,</p> <p>6. Abhijeet Sanjay Jambure (30), S/o. Sanjay Raghunath Jambure residing at- Vihe, P.S- Malharpeth, Patan, District- Satara, Maharashtra and</p> <p>7. Mohammed Ikbal Hussain (33), S/o. Mohammed Abdur Rahman residing at- Gandhua Pathar, Hatijujua, P.S- Jajori, District- Nagaon, Assam.</p>
<p>Represented By</p>	<p>Learned Counsel Sri T. Mohanty & associates for the accused Pathanisamanta Lenka.</p> <p>Learned Counsel Sri T.K Nayak & associates for the accused persons</p>

	<p>namely Saroj Kumar Nayak @ Amit, Pritam Kar @ Bapun, Soumya Ranjan Pattanaik and Abhijit Sanjay Jambure. Learned Counsel Sri S.K Tripathy & associates for the accused Pradyumna Kumar Sahoo @ Pinku.</p> <p>Learned Counsel Sri L. Pattanaik & associates for the accused Mohammad Ikbal Hussain.</p>
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Form-B

Date of offence	11.05.2023
Date of F.I.R.	12.05.2023
Date of Charge-sheet	09.09.2023
Date on which charge was framed	05.04.2024 / 12.08.2024
Date of commencement of evidence	12.08.2024
Date on which judgment is reserved	02.04.2026
Date of Judgment	15.04.2026
Date of the Sentencing Order, if any	15.04.2026
Accused Persons Details:	

Rank of the Accused Persons	Name of the Accused Persons	Date of Arrest	Date of Release on Bail	Offences charged with	Whether Acquitted or convicted	Sentence imposed	Period of Detention undergone during Trial for purpose of section 428 of Cr.P.C.
1.	Pathani Samanta Lenka	13.05.2023	NA (UTP)	U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act	Convicted	undergo Rigorous Imprisonment for two (02) years each and to pay fine Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 120(B)/34 of IPC and Rigorous Imprisonment for two (02) years each for committing the offence punishable U/s. 419/34 of IPC and Rigorous Imprisonment for three (03) years each and to pay fine Rs. 10,000/- (rupees ten thousand) each for committing the offence punishable U/s. 420/34 of IPC and Rigorous Imprisonment for one (01) year each for committing the offence punishable U/s. 465/34 of IPC and Rigorous Imprisonment for two (02) years each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 467/34 of IPC and Rigorous Imprisonment for two (02) years each and to pay a fine of Rs. 2,000/- (rupees two thousand) each for committing the offence punishable U/s. 468/34 of IPC and Rigorous Imprisonment for one (01) year each for committing the offence punishable U/s. 471/34 of IPC and Rigorous Imprisonment for one (01) year each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 66(C) of I.T Act and Rigorous Imprisonment for one (01) year each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 66(D) of I.T Act and in default of payment of each fine amount, the convicts are to suffer further Rigorous Imprisonment for a period of two (02) months each for the default of each fine amount and all the sentences are run concurrently for each convicts	1068 days

2.	Saroj Kumar Nayak @ Amit	13.05.202 3	01.05.2 024 (released on bail by the order of the Hon'ble High Court of Orissa passed in BLAPL Nos. 10224/2 023, 10219/2 023, 10220/2 3 and 10971/2 023)	-do-	-do-	-do-	355 days
3.	Soumya Ranjan Pattanaik	13.05.202 3	-do-	-do-	-do-	-do-	355 days
4.	Pradyumn a Kumar Sahoo @ Pinku	08.06.202 3	-do-	-do-	-do-	-do-	329 days
5.	Pritam Kar @ Bapun	11.06.202 3	-do-	-do-	-do-	-do-	326 days

6.	Abhijeet Sanjay Jambure	01.07.202 3	NA (UTP)	-do-	-do-	-do-	1019 days
7.	Md. Ikbal	22.09.202 3	NA (UTP)	-do-	-do-	-do-	936 days

Status of the accused persons:

Accused persons namely Pathani Samanta Lenka, Abhijeet Sanjay Jambure and Mohammed Ikbal Hussain are UTPs in jail custody.

Accused persons namely Saroj Kumar Nayak @ Amit, Soumya Ranjan Pattanaik, Pradyumna Kumar Sahoo @ Pinku and Pritam Kar @ Bapun are on Court bail.

Date of argument: 02.04.2026

Date of Judgment : 15.04.2026

JUDGMENT

1. The above named accused persons stand charged for commission of the alleged offence punishable U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act.

2. The prosecution is that the First Information Report (“F.I.R.”) and materials on record is as follows:-

On 12.05.2023 at about 04:00 P.M., the informant of this case namely Trupti Ranjan Dash, S.I of Police, STF, CID CB, Bhubaneswar lodged a

Written Report at STF Police Station to the following effect that on dtd. 12.05.2023 that, yesterday i.e. on 11.05.2023 evening at about 8.00 PM, he received credible information from his source to the effect that one Pathanisamant Lenka has been a member of one face book group named and styled as 'Free Recharge Box' where he along with approximately 01 lakh persons are the member of our country as well as foreign nationals. The work of the group is to share OTP as well as mobile numbers to the group members and made illegal transactions for the sake of money for activation/registration through different social media platform such as Facebook, Email, Whatsapp, Instagram/domains/including online gateways like (Phonepe, Paytm, Amazonpe, Googlepay etc.) and E-commerce platform like (Amazan/ Flipkart, Messo) etc. after purchasing from one Pinku @ Pradyumna Sahu of Nuagoan District-Nayagarh. The source further intimated the said Pathanisamant Lenka is planning to proceed to Kolkata from Bhubaneswar Railway station in order to procure pre- activated SIM cards from his associates at Kolkata on dtd. 11.05.2023 in between 11.00 PM to 12.00 Midnight. However, the Inspector Truptiranjan Dash noted down the above information as per provision of section 42 (1) of NDPS Act, 1985 and intimated to S.P., STF and S.P., STF

noted down the fact in the STF PS station diary, entry No. 11 dt. 11.05.2023 and intimated Inspector Truptiranjana Dash the SDE reference to proceed to the spot immediately along with a team of officers of STF carrying investigation kit box, including laptop, printer, sealing materials etc. in order to verify the veracity of the information. His source also intimated him that nobody in the locality come forward to co-operate the police during search, seizure operation out of fear, for which, he requested the SP, STF to arrange two independent official witnesses for the above purpose.

As per requisition of SP, STF, two official witnesses namely Mukesh Kumar Sutar working as Asst. Revenue Inspector, O/o. Tahasildar, Bhubaneswar and Santosh Kumar Tripathy working as Asst. Revenue Inspector O/o. Tahasildar, Bhubaneswar reported before the I.O at STF Office at 10.00 PM. Then, SI Trupti Ranjan Dash formed a team consisting of himself, Inspector Sunita Pradhan, ASI Dusmant Kumar Mohanty, Constable Ajit Kumar Sethi and official witnesses. SI Trupti Ranjan Dash briefed the witnesses properly about their role in the operation. Thereafter, they left STF Office on dtd. 11.05.2023 at about 10.30 PM along with his staff, official witnesses and his source in a Police vehicle to Master canteen area. After reaching near Master Canteen, they found

one person was standing near police aid post side i.e. on the side of Railway Station. The source identified the person and went away. Then they caught the said person and disclosed their identity and on being asked the person disclosed his name as Pathanisamant Lenka of Badapandusar PS. Itamati Dist. Nayagarh, On thorough interrogation, he disclosed that he and his active associates namely Saroj Kumar Nayak @ Amit, of Sakeni, PS. Dasapalla, Dist. Nayagarh, At/Pr-near ITI College, Achyutnagar Lane-2, Nayagarh and Soumya Pattanayak of Udayapur, Sujanpur Dist. Jajpur are engaged themselves in the illegal business and used to share OTP as well as mobile numbers to the group members including foreign nationals (Pakistan) and made transactions for the sake of money for activation/registration through different social media platform for their pecuniary gain. He further stated that he had shared OTP with SIM No. 9205920737 & 9556776821 to some foreign nationals including Pakistan and the said Whatsapp accounts are running in some foreign countries including Pakistan. As per this discloser, a thorough personal search was made in presence of witnesses, where SI Trupti Ranjan Dash recovered article i.e. 1. One black colour POCO mobile handset having IMEI No. 861380061133041 and 861380061133058 in which SIM No.8260932889

inserted on this, 2) 01 No. of IDEA SIM Card having ICCID (Integrated Circuit Card Identification Number) No. 8991130000560611278, 3) 01 No. of IDEA SIM card having ICCID No.89911300000482706586, 4) 01 No. of Vodafone SIM Card having ICCID No.8991753006484255391SY, 5)01 No. of Airtel SIM Card having ICCID No.8991000905784340921U, 6)01 No. of Reliance Jio SIM Card having ICCID No.89918660400286531934, 7) 01 JOSH Mirco SD (2GB) external memory card having No.OR2GTFC5DLABWG15060428C. The suspect admitted that from the above mobile phones, he had shared OTPs and other information to different persons including foreign nationals for which, SI Trupti Ranjan Dash seized all those articles from exclusive and conscious possession of Pathanisamant Lenka after preparing seizure list on 12.05.2023 at 11.55 PM in presence of witnesses. A copy of seizure was handed over to him after due acknowledgement.

Thereafter, SI Trupti Ranjan Dash along with witnesses and suspected person left for Nayagarh area and at first they went to the house of suspect Pathanisamant Lenka situated at Badapandusar and conducted search in presence of witnesses. During search one golden colour Vivo mobile handset having IMEI No. 867718058969550 and 867718058969543 in

which SIM No.9938733577 and SIM No.7008754311 inserted on this was found from his house and being asked he admitted that from the above mobile phone he had also shared OTPs and other information to different persons including foreign nationals for which, the same has been seized after preparing seizure list on 12.05.2023 at 5.00 AM in presence of witnesses. A copy of seizure list was handed over to him after due acknowledgement. Further, they proceeded to the rented house of Saroj Kumar Nayak @ Amit situated at near ITI College, Achyutnagar Lane-2, Nayagarh Dist. Nayagarh who was present in his house. They disclosed their identity and on being asked, he disclosed his identity as Saroj Kumar Nayak @ Amit of Sakeni, PS. Dasapalla Dist. Nayagarh, At/Pr-near ITI College, Achyutnagar Lane-2, Nayagarh Dist. Nayagarh. Initially Saroj Kumar Nayak denied of being engaged in the sharing of OTPs to foreign nationals through pre-activated SIM Card scam. But during interrogation, he admitted that he along with associates namely Soumyaranjan Pattanaik are in the business for their pecuniary gain. During search, they recovered 72 numbers of the articles from the rented house of Saroj Kumar Nayak @ Amit. On being asked, he admitted that he had also shared OTPs and other information and also used SIM cards, mobile phones

for the above illegal business purposes to different persons for which those articles are duly seized from exclusive possession of Saroj Kumar Nayak @ Amit on 12.05.2023 at 11.00 AM, after preparing seizure list and signed by the witnesses. A copy of seizure list was handed over to him after due acknowledgement.

During interrogation both the accused persons confessed that they are running this fraudulent business i.e. sharing of OTP to different persons including foreign nationals including Pakistan, with knowledge that this act is illegal, purely for financial gain. They further stated that one Soumya Pattanayak S/o. Binay Kumar Pattanaik of Udayapur, Sujapur, PS. Bari, Dist. Jajpur whose mobile number is 8093404704 had purchased a bulk quantity of pre-activated SIM Cards from one Uday Kumar Shaw of West Bengal for cheating by personation. Both of them further stated that they along with his associates provided OTPs to the foreign entities for operation of Whatsapp with knowledge that could harm the stability & security of our nation, only for the sake of financial gain. As the apprehended accused persons namely Pathanisamant Lenka and Saroj Kumar Nayak @ Amit and Soumyaranjan Pattanayak and other associates are liable U/s. 419/420/465/467/468/471/120(B) IPC r/w. Sec. 66 C/66 D of IT Act, SI Truptiranjan Dash

prepared the report and submitting a written report producing the seized sealed articles & two accused persons before SP STF Bhubaneswar for necessary legal action.

Basing upon the Written Report, the then S.P, STF P.S registered one case vide STF P.S Case No. 10 dtd. 12.05.2023 U/s. 419/420/465/467/468 /471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act and directed Inspector, S. Beuria to conduct the investigation. In course of investigation, the I.O of the case examined the informant and other witnesses, recorded their statements U/s. 161 of Cr.P.C, visited the spot and prepared the spot map. On completion of investigation, the I.O has submitted Charge Sheet bearing C.S No. 28 dtd. 09.09.2023 U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act against the above named accused persons. Hence, this Case.

3. The plea of the defence is one of outright denial and false implication in the case.

4. The following points for determination in the case are being set forth for adjudication of the same:-

Whether the above named accused persons in furtherance of their common intention:

- i. conspired together to commit an offence of cyber fraud by creating fake mule accounts by the help of illegal procurement of pre-activated sim cards by sharing OTPs to the subscribers of the different social media platforms and there by thereby committed an offence punishable U/s. 120(B)/34 I.P.C.?
- ii. cheated the subscribers of the different social media platforms by creating fake mule accounts by the help of illegal procurement of pre-activated sim cards and by sharing OTPs to them and dishonestly inducing them to deliver the money and thereby committed an offence punishable U/s. 420/34 of I.P.C?
- iii. cheated by personation to the subscribers of the different social media platforms by pretending to be some other person by the use of different mule accounts and thereby committed an offence punishable U/s. 419/34 I.P.C.?
- iv. committed cyber fraud by the help of different mule accounts created by using false documents as well as false electronic records with an intention to commit the

cyber fraud and thereby committed an offence punishable U/s. 465/34 of I.P.C?

- v. committed forgery by making false electronic mule accounts by the help of false documentation in different social media platforms by sharing OTPs to the subscribers with an intention to extract money from them and thereby committed an offence punishable U/s. 467/34 of I.P.C?
- vi. committed forgery by creating false mule accounts with an intention to use that accounts for the purpose of cheating to the subscribers of different social media platforms and thereby committed an offence punishable U/s. 468/34 of I.P.C?
- vii. fraudulently uses as genuine the fake mule accounts and one facebook group namely 'free recharge box' for sharing OTPs to the subscribers of the different social media platforms and at the time of using the said accounts, they knew that the said accounts were forged one and thereby committed an offence punishable U/s. 471/34 of I.P.C?

- viii. fraudulently use the fake mule accounts for sharing OTPs to the subscribers of different social media platforms with an intention to commit cyber fraud for the sake of money and thereby committed an offence punishable U/s. 66(C) of I.T Act?
- ix. cheated by personation through one facebook group namely 'free recharge box' and also by the help of fake mule accounts for sharing OTPs to the subscribers of the different social media platforms by inducing them to send money and thereby committed an offence punishable U/s. 66(D) of I.T Act?

5. To bring home the charges, the prosecution has examined eleven (11) witnesses out of seventeen (17) charge sheeted witnesses. Out of said witnesses, the informant of this case namely Trupti Ranjan Dash has been examined as P.W.2. The occurrence witness namely Dusmant Kumar Mohanty has been examined as P.W.1. The official seizure witnesses namely Sunita Pradhan, Mukesh Kumar Sutar, Ajit Kumar Sethy, Santosh Kumar Tripathy and Bijay Kumar Nath have been examined as P.W.3, P.W.4, P.W.5, P.W6 and P.W.8 respectively. The expert witness namely Manoj Kumar Sethi has been

examined as P.W.7 and the independent witnesses namely Biswambar Parida and Debasis Parida have been examined as P.W.9 and P.W.10 respectively. The I.O of this case namely Sarita Beuria, D.S.P of Police, STF P.S has been examined as P.W.11.

The prosecution has relied upon certain documents marked Ext.P-1/P.W.2, Ext.P-1/1/P.W.2, Ext.P-1/2/P.W.2, Ext.P-1/3/P.W.2, Ext.P-1/4/P.W.2, Ext.P-1/5/P.W.2, Ext.P-2/P.W.2, Ext.P-2/1/P.W.2, Ext.P-2/2/P.W.2, Ext.P-2/3/P.W.2, Ext.P-2/4/P.W.2, Ext.P-3/P.W.2, Ext.P-3/1/P.W.2, Ext.P-3/2/P.W.2, Ext.P-3/3/P.W.2, Ext.P-3/4/P.W.2, Ext.P-4/P.W.2, Ext.P-4/1/P.W.2, Ext.P-4/2/P.W.11, Ext.P-4/3/P.W.11, Ext.P-5/P.W.4, Ext.P-5/1/P.W.4, Ext.P-5/2/P.W.6, Ext.P-5/3/P.W.11, Ext.P-6/P.W.5, Ext.P-6/1/P.W.5, Ext.P-6/2/P.W.11, Ext.P-7/P.W.6, Ext.P-7/1/P.W.6, Ext.P-7/2/P.W.11, Ext.P-8/P.W.7, Ext.P-8/1/P.W.7, Ext.P-9/P.W.7, Ext.P-9/1/P.W.7, Ext.P-10/P.W.7, Ext.P-10/1/P.W.7, Ext.P-11/P.W.7, Ext.P-11/1/P.W.7, Ext.P-12/P.W.7, Ext.P-12/1/P.W.7, Ext.P-13/P.W.7, Ext.P-14/P.W.7, Ext.P-15/P.W.7, Ext.P-16/P.W.7, Ext.P-17/P.W.7, Ext.P-18/P.W.8, Ext.P-18/1/P.W.8, Ext.P-18/2/P.W.11, Ext.P-19/P.W.8, Ext.P-19/1/P.W.8, Ext.P-19/2/P.W.11, Ext.P-20/P.W.8, Ext.P-20/1/P.W.8, Ext.P-20/2/P.W.11, Ext.P-21/P.W.11, Ext.P-22/P.W.11, Ext.P-23/P.W.11, Ext.P-23/1/P.W.11,

Ext.P-24/P.W.11, Ext.P-24/1/P.W.11, Ext.P-25/P.W.11, Ext.P-25/1/P.W.11, Ext.P-26/P.W.11, Ext.P-26/1/P.W.11, Ext.P-27/P.W.11, Ext.P-27/1/P.W.11, Ext.P-28/P.W.11, Ext.P-28/1/P.W.11, Ext.P-29/P.W.11, Ext.P-29/1/P.W.11, Ext.P-30/P.W.11, Ext.P-30/1/P.W.11, Ext.P-31/P.W.11, Ext.P-31/1/P.W.11, Ext.P-32/P.W.11, Ext.P-32/1/P.W.11, Ext.P-33/P.W.11, Ext.P-33/1/P.W.11, Ext.P-34/P.W.11, Ext.P-34/1/P.W.11, Ext.P-35/P.W.11, Ext.P-35/1/P.W.11, Ext.P-36/P.W.11, Ext.P-36/1/P.W.11, Ext.P-37/P.W.11, Ext.P-37/1/P.W.11, Ext.P-38/P.W.11, Ext.P-38/1/P.W.11, Ext.P-39/P.W.11, Ext.P-39/1/P.W.11, Ext.P-40/P.W.11, Ext.P-40/1/P.W.11, Ext.P-41/P.W.11, Ext.P-42/P.W.11, Ext.P-42/1/P.W.11, Ext.P-43/P.W.11, Ext.P-44/P.W.11, Ext.P-45/P.W.11, Ext.P-46/P.W.11, Ext.P-47/P.W.11, Ext.P-47/1/P.W.11, Ext.P-48/P.W.11, Ext.P-48/1/P.W.11, Ext.P-49/P.W.11, Ext.P-49/1/P.W.11, Ext.P-50/P.W.11, Ext.P-50/1/P.W.11, Ext.P-51/P.W.11, Ext.P-51/1/P.W.11, Ext.P-52/P.W.11, Ext.P-52/1/P.W.11, Ext.P-53/P.W.11, Ext.P-53/1/P.W.11, Ext.P-54/P.W.11, Ext.P-54/1/P.W.11, Ext.P-55/P.W.11, Ext.P-55/1/P.W.11, Ext.P-56/P.W.11, Ext.P-56/1/P.W.11 respectively.

On the other hand, the accused persons did not prefer to adduce any oral or documentary evidence in their defence.

6. At the time of argument, learned Special P.P submitted that the prosecution has well proved the occurrence and pressed for conviction of the accused persons.

On the other hand, learned defence Counsels hammered various points and submitted that the story of the informant is not believable and acceptable. On the above score, he claimed for clean acquittal of the accused persons.

The points rose by the defence Counsels and Learned Special P.P are to be discussed while evaluating the evidence on record touching the ingredients of the alleged offence. It is to be seen, how far prosecution is able to prove the ingredients of alleged offence punishable U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act.

7. The informant of this case namely Trupti Ranjan Dash examined as P.W.2 who deposed in his evidence that on 11.05.2023 at about 8 PM, he got reliable information from his source that there is a facebook group namely “Free recharge box” and “FRB trolls” and the work of the groups is to share, post,

different OTPs and mobile numbers to the group members for selling those OTPs/ mobile numbers in order to activate or registration of different social media platforms like Facebook, Whatsapp, Instagram etc. of different e-commerce sites like Flipkart, Amazon, different e-wallets like Phonepay, Paytm, Google pay etc. He further deposed that his source also intimated that one Pathani Samanta Lenka has been posting various mobile numbers and OTPs in those groups after purchasing huge amount of pre activated sim cards from one Pradyumna Sahoo of Nayagarh. Further he intimated from his source that the said Pathani Samanta Lenka was planning to move to Kolkata in between 11 PM to 12 AM of that night for procuring such pre activated sims for the said purpose and he was to leave Bhubaneswar through Train from Bhubaneswar Railway station. Then he intimated the fact to his SP, STF who noted the same in the station diary and intimated him the station diary number vide SDE No. 11 dtd 11.05.2023 and directed him to proceed to the spot along with the team to verify veracity of information. Further on his request, the SP, STF made requisition for arranging two official witnesses and on such requisition, Mukesh Kumar Sutar and Santosh Kumar Tripathy both are ARI of

Tahasiladar, Bhubaneswar reported before him at 10 PM at his office.

He further deposed that he along with Inspector Sunita Pradhan, ASI Dusmanta Mohanty, Constable Ajit Sethi and two official witnesses form a team and about 10.30 PM, their team left their office through a police vehicle along with his source and he also took his investigation kit box. Further after reaching the Mastercanteen area, his source identified one person who was standing near the side of Police Aid Post towards Railway station and left the spot. They rushed to the person and caught hold him and he disclosed his and his team members' identities and asked for his identity and disclosed his name as Pathani Samanta Lenka of village Badapandusar of District Nayagarh and then he interrogated him and he disclosed that he had sale different mobile numbers and OTPs in those two particular Facebook groups namely "Free recharge box" and "FRB trolls" with his active associates namely Saroj Kumar Nayak of Nayagarh and Soumya Ranjan Pattnaik of Bari, Jajpur and also disclosed that he has made various monetary transactions with Indian as well as Foreign Nationals by selling such OTPs and mobile numbers. He particularly disclosed two mobile numbers i.e. 9205920737 and 9556776821, of which OTPs were

sent to Pakistan Nationals for creation of Whatsapp accounts in these mobile numbers. Further he deposed that on his personal search, they found one POCO mobile phone, one Vodafone, Airtel, Idea, Jio sim cards, one Memory card of 2 GB storage, one Debit card of IDFC Bank and cash of Rs.5400/- from his possession. Further he admitted that he had also shared various OTPs, and also made monetary transactions for that purpose from the mobile number he was carrying with himself by that time. He seized all the above articles from his possession at about 11:55 PM on dtd. 11.05.2023 in presence of witnesses and prepared seizure list.

Further he deposed that they along with the accused Pathani Samanta went to his house at village Badapandusar and in his house, they recovered one Vivo mobile phone and the accused also admitted that he shared OTPs and made monetary transactions through that phone also. Then he seized the said phone at about 5 AM on 12.05.2023 and prepared seizure list. Then as per information of the accused Pathani Samanta, they went to rented house of one of his associates namely Saroj Kumar Nayak at Achyuta Nagar, Nayagarh and on interrogation, he said his name as Saroj Kumar Nayak, native of Daspalla area and that he had been residing there in the rented house

and he admitted that he along with Pathani Samanta and one Soumya Ranjan Pattnaik were involved in this fraudulent business of sharing OTPs, mobile numbers in the Facebook groups. From his house, they recovered a total of 72 numbers of different articles related to their business. One Apple iphone, one plus mobile phone, two Xiomi phone, five key pad mobile phones, one HP Laptop, TP link router, one diary containing different numbers sent to different nationals, his original Aadhar card, voter id card, DL, Pan card, different sim cards and sim covers, Credit cards, Debit cards of different Banks (SBI, AXIS, ICICI, HDFC, PAYTM, Federal etc). Further the accused Saroj Kumar Nayak stated that he used those mobile phones in sharing the OTPs and making transactions. Then he seized the said 72 items at about 11 AM on 12.05.2023 and prepared seizure list.

Further he deposed that since he had sufficient material showing involvement of both the accused persons namely Pathani Samanta Lenka and Saroj Kumar Nayak in commission of offences punishable U/ss.419/420/465/467/ 468/471/120(B)/34 of the IPC r/w s.66 C/66D of the I.T Act, he prepared a written report and went to STF Police station along with the team and the two accused persons.

In his cross-examination, he deposed that in this case FIR was not registered upon receipt of the information by him on dtd. 11.05.2023 and after inquiring about the veracity and credibility of information and being satisfied about disclosure of cognizable offence, he made a report for registration of FIR. He further deposed that their team left the office at about 10.30 PM and reached at Mastercanteen area at about 11 PM. Further he deposed that he had information that Pathani Samanta had bought sim cards from accused Pradyumna and except that he was not involved in any investigation against Pradyumna. Further he has not seized any document to show who is the owner of the house at lane 2, Achyuta Nagar, Nayagarh from where seizure was made from accused Saroj. Further since it was not practically possible to test whether those sim cards seized were used or unused ones, he did not inquire about the same at the spot. For the same reason he has also not inquired as to whether the sim cards were active or inactive. Except very few, most of the Debit cards and Credit cards are in the name of Saroj Kumar Nayak. Some are unnamed, Two were in the name of Gitanjali Sahoo, one in the name of Charan.

Further he deposed that he has not verified if any OTP were sent from those sim cards and he has

not visited any recipients of OTPs and he has verified the mobile phone of the accused Saroj from which various messages were sent. Further one bank document, mobile phone was seized from the accused Pathanisamanta and the accused said that the mobile phones seized were belonging to him and he got his identity card and other materials from the mobile phone.

8. P.W.1, occurrence witness namely Dushmant Kumar Mohanty has deposed in his evidence that he knows the informant and on dtd. 11.05.2023, at about 8 PM the informant received information that one person namely Pathani Samant Lenka is a member of a Facebook group named as "Free recharge box" and is involved in fraudulent activities. The said information was transmitted to the SP and a station diary entry was made vide entry no.11 dtd. 11.05.2023. It was further informed to the informant through his spy that the accused Pathani Samant was about to leave for Calcutta in order to bring pre-activated sim cards for his fraudulent activities. Further he deposed that as it was apprehended that no independent private witnesses could be arranged at the spot, the informant requested SP and then two persons namely Mukesh Sutar, Santosh Kumar Tripathy, both ARI of Bhubaneswar

Tahsil appeared in their office at about 10 PM. Their team along with two aforesaid government witnesses proceeded to the spot near Bhubaneswar Railway station at Mastercanteen square at about 10.30 PM. Further it is also deposed that the spy intimated the informant that the person was standing near the Police Aid Post near the Railway station and then the spy departed after identifying the accused to us. Then they nabbed him and on being asked, he revealed his name as Pathani Samant Lenka and on being interrogated on the spot the accused Pathani Samant confessed that he is involved in selling pre activated sim cards and sharing of OTPs of various e-wallet platforms in India and in other nations also including Pakistan and stated that he was going to bring pre activated sim cards from Calcutta and revealed that he has three associates namely Saroj @ Amit Kumar Nayak who resides at Nayagarh near ITI College, Pradyumna Kumar Sahoo who resides at under PS of Nuagaon under Nayagarh district and Soumya Ranjan Pattnaik of Udayapur, PS-Bari, Dist- Jajpur.

Further he deposed that on being searched pre activates sim cards, one debit card, cash of five thousand four hundred rupees one mobile hand set were found from the possession of the Pathani Samanta and the informant prepared the seizure list at the spot.

Further at the spot, he also stated them that he has one other mobile phone in his house through which he shares OTPs and makes transaction with Pakistan National in Whatsapp etc. Basing on the basis of this information, their team visited the house of accused Pathani Samanta on dtd. 12.05.2023 at about 5 AM at Nayagarh and they seized the said mobile phone with one sim card therein and the seizure list was prepared by the informant there. Then the accused Pathani Samant then took them to the house of the co-accused Saroj Kumar Nayak @ Amit near ITI College, Nayagarh and from his house about 72 items, including mobile phones, credit cards of different Banks, ATM-Debit cards and Bank pass books of different banks etc. were seized. A seizure list was also prepared on the spot by informant and the same was concluded by 11 AM on 12.05.2023. On being interrogated Saroj stated that he along with Pathani Samant was involved in bringing pre activated sim cards and sim cards of Paytm and Phonepay from one Pradyumna Kumar Sahoo @ Pinku of PS- Nuagaon, Dist- Nayagarh. Further on the same day, they proceeded to the house of co-accused Soumya Ranjan Pattnaik at Udayapur, PS- Bari, Dist- Jajpur and apprehended him. He confessed that he is involved with the other co-accused and was creating mule/ ghost accounts in the name of

different people and sale those accounts in high rates. Mobile phones and many credit cards and debit cards of different Banks were seized from the house of accused Soumya Ranjan Pattnaik. He also informed us about involvement of other co-accused persons of his locality. He also confessed that he had recently bought 86 pre activated sim cards from Calcutta and had already sold them.

In his cross-examination he also deposed that their team consisting of seven persons, including me left for the spot. They left the office at about 10.30 PM and he cannot say whether he had signed as witness at any time during investigation on that day and he has not a witness to any seizure made by them and from that spot, they proceeded towards to the house of Saroj immediately and also they have not visited the house of accused Pradyumna on that day and he has never been the house of accused Pradyumna and also he has not signed any of the seizure lists prepared that day. Further the accused Pathani Samanta stated about his involvement in the offence as stated in para 5 to the informant in his presence and that all the afore stated seizures were made before registration of FIR. Further he is deposing regarding the facts of STF PS Case No.10/2023 and except being a member of the team making seizure on 11.05.2023 and 12.05.2023, he

has not been involved in the investigation in this case on any other aspect. Further he deposed that P.W.2 has made seizure in the house of Pathanisamanta Lenka and that seizure was made inside his house.

9. P.W.3, occurrence seizure witness namely Sunita Pradhan orated on oath that on dtd. 11.05.2023 at about 8 PM, SI Trupti Ranjan Das received information from his spy that one Pathani Samant Lenka from Nayagarh is having a facebook group namely "Free recharge box" in which group there were also other members near about one lakh people of India and of foreign nations. It was also informed that OTP, Mobile numbers were shared in that group and various illegal transactions were made. It was also informed that OTPs for various platform such as flipkart, amazon, phonepay, googlepay, whatsapp etc. were shared in that group. It was also informed that he was procuring pre-activated sim cards from one Pradyumna Sahoo. The information was passed on to SP, STF. A station diary entry was made vide SD No.11 dtd 11.05.2023. Since the spy had also informed that the accused Pathani Samant Lenka was about to leave Bhubaneswar between 11 PM to 12 AM that night by Train from Bhubaneswar Railway Station for Calcutta. SP directed to form a team and to proceed to the spot at Mastercanteen, Bhubaneswar. Further she

deposed that on requisition of SP, STF, two Government witnesses namely Mukesh Kumar Sutar and Santosh Kumar Tripathy, both ARIs, Bhubaneswar Tahasil office were arranged. Both the govt. witnesses reached our office at 10 PM. SI Trupti Das explained them about their roles and a team was formed including ASI Dushmant Mohanty, Constable Ajit Kumar Sethi, herself and two official witnesses.

Further at about 10.30 PM, they left the office by their office vehicle taking with their investigation kit, laptop, printer, battery and other items. At about 11 PM they reached near Mastercanteen and the spy of PW2 identified the accused Pathani Samant who was standing near the police aid post, Mastercanteen. They went near him and PW2 identified themselves to him and also asked about his identity. He revealed as name as Pathani Samant Lenka of Badapandusar, Nayagarh. P.W.2 made search of the accused and from his possession, some sim cards, one POCO mobile phone with two sims, one pass photo, one debit card of IDFC Bank and cash of 5,400/- were found and the same were seized by PW2 in presence of witnesses at 11.55 PM. This is her signature marked as Ext.P-1/2/PW2. Further the accused Pathani Samant revealed that one Saroj Kumar Nayak and Soumyaranjan Pattnaik were assisting him

in the fraudulent activities and then they went to the house of Pathani Samant at Badapandusar, Nayagarh and on search, they found one Vivo mobile with one sim card in it from his house and the same was seized by PW2 at about 5 AM on 12.05.2023 in presence of witnesses.

Further she deposed that they went to the rented house of Saroj Nayak at Achyutanagar in the district of Nayagarh and the accused Saroj was present there and upon search of his house total of 72 items were seized including some mobile phones, sim cards, debit cards and laptop and the same was seized by PW2 in presence of witnesses at about 11 AM. Further on being questioned Saroj stated that one person namely Soumya Pattnaik had procured many sim cards from one Udaya Kumar Shaw of West Bengal and is having them in his possession. A detail report was prepared by PW2 in the house of Saroj. Further she deposed that on 13.05.2023, as per direction of SP, STF, she along with DSP Rashmi Ranjan Pattnaik, constable Chittaranjan Mishra and one havildar went to house of the accused Saroj. They first reached the Nayagarh town PS and after obtaining staffs from there they went to the house of the accused Saroj. Some other items including a sim card, debit card and one TVS Apache motor cycle were seized from his house.

She seized the same and prepare seizure list at about 6.15 PM. Total of 14 items were seized in the seizure list.

In her cross-examination, she also deposed that a total of 8 persons left the office for spot including the driver and the spy and Police staffs were present at the aid post at master canteen and during arrest of accused Pathani Samanta, they had not taken any assistance of local police and they went to our office with two accused persons, but without spy. She has signed as witness in one seizure list in this case which was prepared at master canteen. Further she deposed that she heard from accused Pathani Samanta that he had procured pre-activated sim from accused Pradyumna and he cannot say what identity card was seized from Pathanisamanta and many documents were seized from him. Further she deposed that she has not verified the ownership of the seized items and about 20 items were seized from the accused Pathani Samanta and no independent person of the locality was made witness to the seizure and FIR was prepared at the house of Saroj after preparation of seizure list.

10. P.W.5, occurrence seizure witness namely Ajit Kumar Sethy has deposed on oath that on dtd. 11.05.2023 at about 9.40 PM, he reported to SI Truptiranjan Das and a team was formed consisting of

himself, P.W.2, Inspector Sunita pradhan, two Government witnesses namely Mukesh Kumar Sutar and Santosh Kumar Tripathy and P.W.2 explained them about their responsibilities and informed them about the raid. Then at about 10.30 PM, they left office and proceeded towards Master Canteen near Railway Station. A spy of PW2 identified one person standing and left the place. Then they went near that person and caught him and took him to an isolated place near the spot. There PW2 disclosed their identity and asked his identity. That person revealed his name as Pathani Samanta Lenka of village Bada Pandusara, PS- Itamati, Dist- Nayagarh. On further questioning, he said that he and one Saroj Kumar Nayak of Nayagarh and one Soumya ranjan Pattnaik of Jajpur were earning money by sharing OTPs through Facebook, Whatsapp to various places inside and outside the country. He specifically stated that some OTPs were shared to Pakistan Nationals. He said two mobile numbers and they had shared OTPs in those numbers. Further he submitted that the P.W.2 conducted personal search of that person and one black colour POCO mobile phone, IDFC Debit card, One Airtel sim, one Idea Sim, one Jio sim, and cash of Rs. 5400/- were recovered from his possession and prepared the seizure list at about 11.55 PM and a copy of the same was given to the

accused. Thereafter they proceeded towards house of Pathanisamanta at Badapandusara and searched his house and from his house on dtd. 12.05.2023 at about 5AM, one Golden colour Vivo V23 mobile phone was seized and seizure list was prepared and the same was signed by the witnesses. Further he submitted that getting information from Pathanisamanta Lenka, they proceeded towards the rented house of Saroj Kumar Nayak at Nayagarh near Government ITI College and made raid in his house and accused Saroj Kumar Nayak was present. PW2 disclosed their identity and on being asked, he disclosed his name as Saroj Kumar Nayak and from his house three to four mobile phones, different ATM cards and Debit cards were recovered. A total of 72 items were seized from his house. Seizure list was prepared by PW2 and the same was signed by the witnesses.

Further he submitted that on dtd. 13.05.2023, she along with ASI Dushmant Mohanty, Inspector Sarita Madam, Government witnesses Mukesh Kumar Sutar and Santosh Kumar Tripathy went to Udaypur- Sujanpur under PS- Bari, Dist- Jajpur and made raid in house of Soumya Ranjan Pattnaik. On being asked he disclosed his name as Soumya Ranjan Pattnaik and he admitted being involved in such activities and also used to obtain fake

activated sim cards from one Uday Sah from West Bengal and 40 items were seized from his house on 13.05.2023 at about 6 A.M. On dtd. 29.06.2023, as per direction of SP Sir, he along with ASI Dushmant Mohanty, Inspector Sarita Madam went to Hinjwade at Pune, Maharastra and there they made a raid at WIPRO office and also caught one person namely Abhijit Sanjay Jambure and from his possession six different ATMs, one mobile phone, one DL in his name, one identity card, PAN card, Adhaar card were seized and seizure list was prepared.

In his cross-examination, he also deposed that the Spy identified the accused at a 50 meters distance from the spot to P.W.2 and the accused Pathanisamanta Lenak was standing at a distance of 200 meters from the Railway Station near Police Aid Post. Further he deposed that he does not know the IMEI numbers of seized phone and the accused has not endorsed on Ext. P-1/P.W.2 but he received the copy of the seizure list and no public persons gathered at the time of seizure and the accused Saroj Kumar Nayak was identified by the accused Pathanisamanta Lenka.

11. P.W.8, occurrence seizure witness namely Bijay Kumar Nath has deposed on oath that on dtd. 08.06.2023, he was informed to go for a raid and as per order of SP, he reported to Inspector Sarita

Behuria madam. ASI Dusmant Kumar Mohanty, Driver Budhadev Munda and he along with Sarita madam went for Nayagarh from office. They left the office at 3AM and reached at 5AM in morning on dtd. 08.06.2023 and there they caught the accused Pradyumna Sahoo and on personal search, a VIVO mobile phone was recovered and a seizure memo was prepared. Further he deposed that on dtd. 10.08.2023, he along with the same team left for Bari, Jajpur and caught the accused Pritam Kar near a School. From the accused Pritam, one REDMI and one POCO mobile phones were seized and a seizure list was prepared there wherein he along with one Pravat Sahoo, Sarita madam and the accused signed on the same. Then house of accused Pritam Kar was searched and total of 39 items including printers, some broken and other mobile phones, sim cards of different companies, chargers, etc were seized. A seizure list was prepared there and he signed on the same and he was identified by the I.O.

In his cross-examination, he also deposed that he cannot say the detail of all the 39 items seized from the accused Pritam.

12. P.W.4, seizure witness namely Mukesh Kumar Sutar deposed on oath that on dtd. 11.05.2023 as per direction of Tahsildar Bhubaneswar,

he along with his colleague Santosh Kumar Tripathy reported to SI Truptiranjana Dash (PW2) at STF, Bhubaneswar at about 10 PM and PW2 informed them that we will be Government witness and informed about the case. At about 10.30 PM, they left the STF office towards Master canteen square near Bhubaneswar railway station. A spy of PW2 identified one person standing near the police aid post near railway station and left the spot. Thereafter PW2, along with his staffs and they went to that person. PW2 disclosed their identity to him and also asked his identity. That person disclosed his name as Pathani samanta Lenka of Nayagarh District, PS- Itamati, at Village Badapandusara. He further submitted that accused Pathani samanta Lenka admitted that they were sharing OTPs and mobile numbers illegally to Pakistan and other foreign nations, and by those mobile numbers they were activating and registering various social media platforms even staying outside India. Then PW2 searched person of Pathani Samanta Lenka and one POCO mobile, four sim cards, one 2GB memory card, one passport photo and cash of Rs, 5,400/- were recovered from him and at about 11.55 PM, a seizure list was prepared by PW2. On the said seizure list, he along with PW2, the accused and another Govt witness signed. Thereafter they along

with the accused Pathani Samanta Lenka proceeded towards his native village and his house one VIVO mobile phone was seized. Seizure list was prepared by PW2 there. He signed on it along with other witnesses.

Further he deposed that the accused Pathanisamanta had also disclosed that one Soumya Ranjan Pattnaik of Udaypur, Sujanpur, Jajpur and one Saroj Nayak of Achyuta nagar, lane 2, near ITI College, Nayagarh were also involved with him in this fraudulent sharing of OTPs. Then they all proceeded towards the house of Saroj Nayak at Nayagarh and accused Saroj Nayak was and disclosed his name and address as at Sakeli, Po- Poibadi, of Dist Nayagarh. On further questioning he first denied the allegations, but later he admitted that he along with Pathani Samanta Lenka and Soumya Ranjan Pattnaik were involved in such activities and also admitted that Soumya Pattnaik used to bring pre-activated sim cards from one Uday Nath Saha of west Bengal and transport the same to foreign countries. Further on search of house of Saroj Nayak, four android phone, five keypad phones, one laptop, one Router, ten simcards, some sim card covers (about 15), Credit cards and debit cards of different banks, Adhaar card, Voter Id card, Driving licence and Pan card were recovered. Total of seventy two items were seized by PW2 from his house and prepared the

seizure list. Thereafter FIR report was prepared by PW2 and then they returned to STF office. They reached STF office at about 3- 4PM on 12-05-2023. Further Inspector Sarita Beuria asked them to go to house of Soumya Pattnaik at Jajpur and at about 10.00 PM on dtd. 12.05.2023, he along with Santosh Tripathy, Inspector Sarita Behuria and her staffs left the STF office and proceeded towards house of Soumya Pattnaik. At about 2AM, They reached there and accused Soumya Pattnaik was present in his house and from his house, four android mobile, three keypad phones, one tablet, twelve sim cards, 14 to 15 sim card covers, Adhaar card, Credit card and debit cards of different banks, two cheque books of two bank accounts were recovered. 40 items were seized there by Inspector Sarita Madam. The seizure list was prepared there at 6AM on 13-05-2023. He along with other witness signed on it after reading and understanding its contents. Two phone numbers were seized from the accused Pathani Samanta Lenak near Master Canteen and he admitted that he had shared OTPs to foreign countries using these two numbers i.e. 99205920737 and 9556776821 and he was examined by the I.O.

In his cross-examination, he deposed that the order of Tahasildar on dtd. 11.05.2023, he reported at STF Office and the said order was not seized by the

I.O from his possession and no document relating to identity of accused Pathanisamanta Lenka was seized by P.W.2 and he cannot say the details of seized 72 items and he also cannot say the details of forty items seized from accused Soumya Pattanaik.

13. P.W.6, seizure witness namely Santosh Kumar Tripathy has deposed on oath that on dtd. 11.05.2023, the Tahsildar made an order directing him to report at the STF office, Bhubaneswar and on that day, he along with his colleague Mukesh Kumar Sutar reported to SI Truptiranjan Dash at STF Office, BBSR at 10 PM and thereafter he informed them about the operation and asked them to be official witness. Then Truptiranjan Dash along with his four to five police staffs and the informer and they proceeded towards Master canteen square near Bhubaneswar Railway station and there the informer identified one person to P.W.2 and left. Then they went near him and on being asked, he revealed his name as Pathani samanta Lenka and his address at Nayagarh. Then he admitted that he and his partners Soumya and Saroj were sharing OTPs to Pakistan and were having financial gain there from. On search of Pathani Samanta, one mobile phone, some sim cards of idea, jio, Vodafone, cash of Rs-5400/- , phone memory card were seized from him and seizurelist was prepared

there at about 11.55 PM on the spot and he along with other official witness, IO and the accused signed on it. Thereafter they proceeded towards house of Pathanisamanta at Badapandusar in Nayagarh and from his house, one golden colour Vivo phone, some sim cards were seized and then the seizure list was prepared at 5 AM on dtd. 12.05.2023 and he along with other official witness, IO and the accused signed on it.

Further he submitted that then they proceeded to rented house of accused Saroj at Achyuta Nagar, Nayagarh and Saroj was found there and on being asked he first denied the allegations, but later he confessed about his involvement. On search of his house a total of 72 items were seized. One Oneplus phone, some debit cards, credit cards, passbook, cheque books, mobile phones and simcards were seized there. Thereafter the seizurelist was prepared at 11AM on dtd. 12.05.2023. He along with other official witness, IO and the accused signed on the seizure list. Thereafter they returned to STF office. Further on next day on dtd. 13.05.2023 on direction of the IO Sarita madam, he along with the official witnesses and STF officials proceeded towards house of Somya at Bari, Jajpur at about 11.30PM and accused Soumya was in his house. He also initially denied but later confessed his involvement. He stated that he was using some pre-

activated sim cards for sharing of OTPs and was having links with one Uday Sah of West Bengal in that regard. On search of his house of Soumya, 40 items were seized i.e. some debit cards, credit cards, passbook, cheque books, mobile phones and simcards and seizure list was prepared at 6AM on 13.05.2023. He along with other official witness, IO and the accused signed on the seizure list and then they returned STF Office taking the accused with them. Further he stated that he was examined by the I.O.

In his cross-examination, he deposed that the Tahasildar had given a written direction vide Letter No. 5677 dtd. 11.05.2023 issued by Tahasildar, Bhubaneswar and he had submitted the said order to the I.O and he has not seen whether any identity card was seized from the accused Pathanisamanta Lenka and he was present near the accused Pathanisamanta Lenka when seizure was made and he cannot say the exact number of items seized in the seizure list vide Ext. P-1/P.W.2 and when they entered his house, no villagers were present there and he has not seen when the I.O had asked other villagers to witness the seizure.

14. P.W.7, expert witness namely Manoj Kumar Sethi has deposed on oath that on 22.06.2023, on requisition of IO, he issued three certificates in compliance to Sec. 65 B of the Evidence Act, 1872

regarding printout of the mobile screenshots of the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak and Soumyaranjan Pattnaik. Total of 243 sheets of Facebook messenger chats of the accused Pathanisamanta Lenka were printed marked as Ext P-13/PW7 and total of 38 sheets of Whatsapp and Telegram chats of the accused Saroj Kumar Nayak were printed marked as Ext P-14/PW7 and also total of 315 sheets of Whatsapp and Telegram chats of the accused Soumyaranjan Pattnaik were printed, marked as Ext P15/PW7. Further he submitted that he has taken the said printouts in presence of official witnesses namely Santosh Kumar Tripathy, Susant Kumar Giri and also in presence of the IO namely Sarita Beuria. Further on requisition of IO, on 23-06-2023, he issued certificates in compliance to Sec. 65B of the Evidence Act, 1872 regarding printout of the mobile screenshots of the accused persons namely Pritam Kar in presence of same official witnesses and the IO and a total of 243 sheets of whatsapp chats of two accounts of the accused Pritam Kar were printed and marked as Ext P-16/PW7. Further on requisition of IO, on 08-07-2023, he issued certificates in compliance to Sec. 65B of the Evidence Act, 1872 regarding printout of the mobile screenshots of the accused persons namely Abhijeet Sanjay Jambure in presence

of same official witnesses and the IO and a total of 322 sheets of whatsapp chats and Paytm account details of the accused Abhijeet Sanjay Jambure were printed and marked as Ext. P-17/PW7. The I.O, official witnesses and accused persons signed on the respective print outs in his presence and then he handed over the said printouts to the IO.

Further he submitted that he received one Vivo V23 mobile phone from the IO bearing IMEI number 867718058969550 & 867718058969543 on dtd. 23.05.2023 and after connecting the same to his official computer through data cable got the print outs as stated above in connection with the accused Pathani Samanta Lenka and thereafter he prepared the certificate vide Ext. P-8/PW7 and then he handed over the said mobile phone to the IO. Further he received one Oneplus 9 Pro-5G mobile phone from the IO bearing IMEI number 868768053447572 & 868768053447564 on dtd. 23.05.2023 and after connecting the same to his official computer through data cable and got the print outs as stated above in connection with the accused Saroj Kumar Nayak and thereafter he prepared the certificate vide Exhibit P-9/PW7 and then he handed over the said mobile phone to the IO. Further he received one Xiomi model no 220412161 mobile phone from the IO bearing IMEI

number 866991060800532/78 & 866991060800540/78 on dtd. 23.05.2023 and after connecting the same to his official computer through data cable and got the print outs as stated above in connection with the accused Soumya Ranjan Pattnaik and thereafter he prepared the certificate vide Exhibit. P-10/PW7 and then he handed over the said mobile phone to the IO. Further he received one POCO X5pro 5G mobile phone from the IO, bearing IMEI number 8613800602210964 & 861380060210972 on dtd. 10.06.2023 and after connecting the same to his official computer through data cable got the print outs as stated above in connection with the accused Pritam Kar and thereafter he prepared the certificate vide Exhibit P-11/PW7 and then he handed over the said mobile phone to the IO. Further he received one OPPO mobile phone from the IO, bearing IMEI number 867120044070793 & 867120044070793 on dtd. 08.07.2023 and after connecting the same to his official computer through data cable got the print outs as stated above in connection with the accused Abhijit Sanjay Jambure and thereafter he prepared the certificate vide Exhibit P-12/PW7 and then he handed over the said mobile phone to the IO.

In his cross-examination, he deposed that he was not examined by the I.O and no documents

were seized from him by the I.O and he had not seen any document regarding ownership of the said mobile phones and he issued one certificate for screenshots printed from each mobile phone.

15. P.W.9, independent witness namely Biswambar Parida has deposed on oath that he does not know anything about this case and he was not examined by Police.

16. P.W.10, independent witness namely Debasis Parida has also deposed on that he does not know anything about this case.

17. P.W.11, the I.O of this case namely Sarita Beuria, verbalized the following fact on solemn affirmation that on dtd. 12.05.2023 at 04.00 PM, on written report of informant, the then SP, STF in charge Satchidananda Rath registered STF, PS Case No.10/2023 U/s.419/420/465/467/468/471/120B/34 of IPC r/w 66C/66D IT Act and entrusted him to take up investigation. He received the copy of FIR, seizure lists regarding seizure of 11 items from Pathani Samanta Lenka, seizure lists regarding seizure of 72 items from Saroj Kumar Nayak and seized articles and verified them. On verification of mobile phone of Pathani Samanta Lenka, he found that Pathani Samanta had talked over whatsapp with one no.9205920737 and on

verification of that phone number, he found that it was belonging to Pakistan Intelligence Operative (PIO), and that the said PIO had made a payment through one Airtel payment account no.6371353883. Further it was ascertained that one Noor Fatima, agent of PIO, who as staying at Patna, Bihar at transfer huge amount of cash from her account to one Ravi Mina, who was arrested by NIA team. The said Noor Fatima transferred some cash to the paytm account of Pathani Samanta Lenka vide paytm no. 7008754311 of Pathani Samanta Lenka. Then he examined the complainant Trupti Ranjan Das, independent witness Mukesh Kumar Sutar and Santosh Kumar Tripathy, raiding team members Sunita Pradhan, SI Dushmanta Kumar Mohanty, Ajit Ku. Sethi and recorded their statement u/s.161 of Cr.P.C. He also examined the accused Pathani Samanta Lenka, Saroj Kumar Nayak. As prima facie case was made U/s. 419/420/465/467/468/471/120B/34 of IPC r/w 66C/66D IT Act, he arrested them at 09.05 PM on 12.05.2023 and the said accused persons were kept in escort observing all formalities. Further he deposed that during interrogation the accused Pathani Samanta Lenka and Saroj Nayak, they confessed that they were running fraudulent business, i.e. sharing of OTPs to different persons including foreign nationals including Pakistan knowing that the act is illegal and for

financial gain. They further stated that one Soumya Ranjan Pattnaik of Jajpur district having mobile no. 8093404704 had purchased a bulk quantity of pre-activated SIM cards from Udaya Kumar Sah of West Bengal for cheating by impersonation. Both of them further stated that they along with their associates provided OTPs to foreign entities for operation of whatsapp with knowledge that it could harm stability and security of our Nation only for their financial gain. Thereafter, he left for Jajpur district at 10 PM on same day. On dtd. 13.05.2023 at 12.10 AM, he conducted raid at village of Udayapur and found that the accused Soumya Ranjan Pattnaik was available in his house and on search of his house, 40 nos. of articles including mobile phones, tabs, debit cards of different banks, sim cards with sim card covers of different service provider, bank passbooks, were seized in presence of witnesses at 06.00 AM. Seizure list was prepared by him and its contents were read over to the witnesses and accused persons and were signed by them. Copy of the said seizure list was also supplied to accused on acknowledgement. He also examined the accused Soumya Ranjan Pattnaik and recorded his confessional statement. As prima facie case was made out u/s.419/420/465/467/468/471/120B/34 of IPC r/w 66C/66D IT Act, he arrested him at 09.05 AM on

13.05.2023 after observing legal formalities. Then, he returned to PS along with the accused and seized articles and forwarded the accused persons to court after observing legal formalities.

Further he deposed that on 15.05.2023, he sent requisition to different regional Manager, Bhubaneswar, Branch manager SBI, Nayagarh town/Daspallah branch, Nayagarh, Ujiban bank, IDFC Bank, HDFC Bank, Federal Bank, ICICI Bank, Axis Bank, Indian Bank, Bandhan Bank, BOI, Bank of Baroda, Union Bank, IDBI Bank, IDFC Bank, India Post Payment bank of Nayagarh town and Daspallah Branch for freezing bank accounts of accused Pathani Samanta Lenka and Saroj Nayak. Thereafter he sent requisition to regional manager, Bhubaneswar, Branch Manager SBI, Bari branch, Jajpur town/ HDFC Bank, DCB Bank/ Bank of Baroda, Fino payment bank, Federal bank, Axis bank, IDFC bank, ICICI Bank, Karnataka Bank, Union Bank of India, Indian Bank, all of Jajpur town branch for freezing bank accounts of accused Soumya Ranjan Pattnaik. On 20.05.2023 at 10.30 AM, he made prayer of police remand of accused persons and received extract order allowing three days of police remand from 21.05.2023. On 23.05.2023, he analyzed two mobile phones of the accused Pathanisamanta Lenka and the accused

Pathanisamanta took screenshots of whatsapp chats, facebook, instagram, telegram and different digital wallets like Phonepay, Paytm, Airtel Paytm bank, Google pay, etc. Pathanisamanta was member of the facebook group 'free recharge box' and he had connection with Pradyumna Sahoo. Pradyumna Sahoo supplied 150 pre-activated sim cards to Pathanisamanta Lenka, at cost of Rs. 5000/- per account. Pathanisamanta had received money from different countries through Paytm and Airtel Payment bank. Pathanisamanta had also contacted with Pakistan Intelligence officer namely Hamid and he had also shared user id and password operated by Hamid at Pakistan. Pathanisamanta Lenka had also maintained 44 UPI IDs/ bank accounts in name of her mother Manju Dei. Inspector Manoj Kumar Sethi using his official desktop vide no JBCOM JIO device, ID-DO359614D7AE-45DB-9B41-CB3CO57C6ED3 and connecting the same with his official printer, printed 243 number of screenshots taken by Pathanisamanta Lenka by accessing his own accounts relating to sale of OTPs in presence of himself and official witnesses. Then he prepared disclosure statement of accused Pathanisamanta Lenka u/s 27 of Evidence Act. On 23.05.2023 at 10AM, he seized 243 printed screenshots in presence of official witnesses. On dtd. 23.05.2023,

he analyzed two mobile phones of the accused Soumyaranjan Pattnaik and the accused Soumyaranjan Pattnaik took screenshots of Telegram chats of 17 sheets and 73 sheets and whatsapp chats of 75 sheets. Soumyaranjan Pattnaik was member of the facebook group 'free recharge box'. Inspector Manoj Kumar Sethi using his official desktop vide no JBCOM device, DO359614D7AE-45DB-9B41-CB3C057C6ED3 and connecting the same with his official printer, printed 165 number of screenshots taken by Soumyaranjan Pattnaik by accessing his own accounts relating to sale of OTPs in presence of himself and official witnesses. Then he prepared disclosure statement of accused Soumyaranjan Pattnaik u/s 27 of Evidence Act. On 23.05.2023 at 12.30PM, he seized 165 printed screenshots in presence of official witnesses. On 23.05.2023 he analyzed one mobile phone of the accused Saroj Kumar Nayak containing two sim cards and the accused Saroj Kumar Nayak took screenshots of 38 sheets of whatsapp and telegram chats. Saroj Kumar Nayak was member of the facebook group 'free recharge box'. Inspector Manoj Kumar Sethi using his official desktop vide no JBCOM JIO device, ID- DO359614D7AE-45DB-9B41-CB3C057C6ED3 connecting the same with his official printer, printed 38 number of screenshots taken by

Saroj Kumar Nayak by accessing his own accounts relating to sale of OTPs in presence of himself and official witnesses. Then he prepared disclosure statement of accused Saroj Kumar Nayak u/s 27 of Evidence Act. On 23.05.2023 at 3.30 PM, he seized 38 printed screenshots in presence of official witnesses. On 23.06.2023 he analyzed one mobile phone of the accused Pritam Kar and the accused Pritam Kar took screenshots of 144 sheets of whatsapp, 1299 sheets of whatsapp, Pritam Kar was member of the facebook group 'free recharge box'. Inspector Manoj Kumar Sethi using his official desktop vide no JBCOM JIO device, ID- DO359614D7AE-45DB-9B41-CB3C057C6ED3 and connecting the same with his official printer, printed 443 number of screenshots taken by Pritam Kar by accessing his own accounts relating to sale of OTPs in presence of himself and official witnesses. Then he prepared disclosure statement of accused Pritam Kar u/s 27 of Evidence Act. On dtd. 23.05.2023 at 12.15 PM, he seized 443 printed screenshots in presence of official witnesses. On dtd. 23.05.2023 SP, STF sent requisition to whatsapp privacy policy 1601 willow road, mainlo park, California, 94025, USA with a request to furnish data, information with respect to mobile nos. 9205920737, 956776821, 7008754311, 6371353883.

On 24.05.2023, he made a further prayer for police remand of the accused persons for one day and the same was allowed for 25.05.2023. On 26.05.2023 he left for Satara, Pune, Maharashtra and engaged spy by in search of Abhijit Sanjay Jambure in Magarpata area, Khadapsar of Pune. He also searched for Abhijit Sanjay Jambure in his village at Vihea but could not find him. On 28.05.2023, he returned Bhubaneswar without being able to trace out Abhijit Sanjay Jambure.

Further he deposed that on dtd. 31.05.2023, as per his requisition, CDR, STR, CAF of sim no.9556776821 were provided to him. This mobile number was showing that the whatsapp account registered with it was being operated at Sindh, Pakistan, as intimated by the whatsapp. On analyzing, he found that the said sim number was registered in the name of one Gobardhan Nayak of Ganjam District and was activated on 18.01.2022. On 23.02.2023, a whatsapp verification code 59039211 SMS was received at 02.37.28 PM and someone had entered the above phone number and requested for registration code. At that time the location of above mobile tower was at Champabati pur, Itamati area of Nayagarh district. It was also found that the sim was inserted Xiaomi redmi note5 pro. In this connection communication was made with whatsapp for

furnishing information regarding details of data with respect to the above mobile number. Accordingly information received from whatsapp showed that the device which was used for operating whatsapp on this number was one Apple I Phone 6 and was last seen on 13.02.2023 at 05:20:03 PM and the IP was 182.96.242. from open source tools like IP2 location open tracker IP Google location.io.ip registry.co. It was confirmed that the ISP (Internet Service Provider) is a Pakistan Telecommunication Company at Hyderabad, Sindh region, Pakistan. On 02.06.2023, he received information from Airtel payment bank regarding information of Bank transaction and KYC etc. from analysis of account linked with mobile no.6371353883, it was found that on 15.10.2022 there was payment received via UPI from VPA 7350369299@ybl from RRN228800991523 of Rs.150/-. It was also found that on 19.10.2022 there was payment received via UPI from VPA 7350369299@ybl from RRN22880105774 of Rs.400/-. Then he made correspondence to NPCI to know details of above two transactions through UP id 7350369299@ybl. He got reply that on 19.10.2022 the account attached with that UPI id was at HDFC Bank vide account no. 50100232709811 with HDFC0000486. He made requisition to HDFC Bank to know details of the above account. He received

information from HDFC Bank that this account number stands in the name of the accused Abhijit Sanjay Jambure, EXL Service-cum-(i)- PVT.LTD, Tower-1, Magarpata city, Pune, Maharashtra and the registered email id was abhijambure2017@gmail.com. On inquiry he found that Abhijit Sanjay Jambure was working in a software company at Pune, Maharashtra and also provides online tuition to students, including some students of Pakistan. He also found that he was engaged in buying, selling of facebook pages and also framing to provide SEO search engine optimization service to clients in India as well as Pakistan. It was also revealed that PIO was also maintaining contact with Abhijit under the cover of part based teacher having students in India from whom he has to receive money and also sometimes need to send money to Indian friends. As per statement of Pathani Samanta Lenka, as per direction of PIO Abdul Hammid, Abhijit transferred money to Pathani Samanta Lenka through UPI No. 7350369299@UPI. On 03.06.2023 he made a prayer for issuance of NBW against Abhijit Sanjay Jambure as prima facie case under above offences was made out against him. On 08.06.2023 he left for Nuagaon, Nayagarh and conducted raid at Mahitama village of Nayagarh district and apprehended Pradyumna Kumar Sahoo @ Pinku and examined the

said accused. During search of the accused, he seized one black color mobile handset from Pradyumna Kumar Sahoo having sim no.7978862268, 9938126688 and prepared seizure list and read over its contents to the witnesses Lingaraj Sahoo and Bijaya Kumar Nath and the accused person. He also served a copy of seizure to the accused on acknowledgement. As prima facie case under above offences was made out against him, he arrested the accused Pradyumna kumar Sahoo at 07.00 AM.

Further he deposed that on 10.06.2023, he left for Bhurunga village of Jajpur district and conducted raid in that village and apprehended accused Pritam Kar@ Bapun and during his personal search in presence of witnesses, he found one metallic sky color mobile handset of redmi9 power having sim no.8456890539 and one metallic blue color mobile handset of X5 pro 5G having sim no.9090907771 and 8280775796 from his possession. He prepared seizure list and read over its contents to the witnesses Lingaraj Sahoo and Bijaya Kumar Nath and the accused person. He also served a copy of seizure to the accused on acknowledgement. Thereafter he searched house of the accused Pritam Kar and seized 39 numbers of articles including mobile phones, debit cards of different banks, sim cards of different service provider, bank

passbook, PAN card, notebooks containing different sim numbers etc. from the possession of Pritam Kar at 12.30 PM. He prepared seizure list and read over its contents to the witnesses Lingaraj Sahoo and Bijaya Kumar Nath and the accused person. He also served a copy of seizure to the accused on acknowledgement. He examined witnesses Linjaraj Sahoo and Bijay Kumar Nath and recorded their statement u/s.161 of Cr.P.C. As prima facie case under above offences was made out against him, he arrested the accused Pritam Kar at 5:30 PM. On 12.06.2023 he made requisition to different banks at Jajpur, such as ICICI Bank, Union Bank, Indian Bank, SBI, Axis Bank etc. regarding freezing of bank accounts and supplying information regarding accounts of the accused Pritam Kar and Soumya Ranjan Pattnaik. On 13.06.2023 he made requisition to different banks and insurance companies at Jajpur town, such as ICICI Prudential, HDFC, IPPB, Axis Bank etc. regarding freezing of bank accounts and supplying information regarding accounts of the accused Pritam Kar and Soumya Ranjan Pattnaik. On scrutinized bank accounts of Pritam Kar and Soumya Ranjan Pattnaik, he found huge number of suspected UPI & IMPS transactions. On 20.06.2023 he visited Nayagarh and examined Debasish Parida and Biswambar Parida and recorded their statement u/s.161

of CrPC. On 21.06.2023 he made prayer to this Court for deposit of cash of Rs.5400/- seized from accused Pathani Samanta Lenka. After receiving order, he deposited the said cash in court vide CMR No.32-23(4). He made a prayer of police remand of accused Pritam Kar and the same was allowed for two days from 22.06.2023. During investigation it was also ascertained that the accused Pathani Samanta Lenka was also involved in Siligudi, Neujalpaigudi PS Case No. 1327/22 u/s.120B r/w s.3,4,5,10 of Official Secret Act. On 29.06.2023 he got information that Abhijit Sanjay Jambure was working as Customer care executive, wipro technologies, Hinjewadi, Pune, Maharashtra. He proceeded there on same day and reached at Hinjewadi police station and with intimation to Hinjewadi police, he proceeded to office of Wipro technologies and apprehended the accused Abhijit Sanjay Jambure and on his personal search one mobile having sim no.7350369299 was seized from him in presence of witnesses Rabindra Patil and Ajit Ku. Sethil at 6.00 PM. He prepared seizure list and read over its contents to the witnesses and the accused person and also served a copy of seizure to the accused on acknowledgement. At 6.15 PM he seized one original identity card of Abhijit having employee code 20281908, Adhar card, PAN card, Driving license, six

ATMs of different banks, VISA platinum card, SBM stasfin VISA platinum card, IDBI Bank rupay debit card, one reliance jio sim cover having ICCIDA No.89918720400317464434, IMSI No. 405872080605140. He prepared seizure list and read over its contents to the witnesses and the accused person and also served a copy of seizure to the accused on acknowledgement. As prima facie case made was out U/s. 419/420/465/467/468/471/120B/34 of IPC r/w 66C/66D IT Act. I arrested him at 07.20 PM. On 07.07.2023 he made a prayer for police remand of accused Abhijit Sanjay and the same was allowed for four days from 08.07.2023. He analyzed the seized mobile handset of the accused Abhijit Sanjay Jambure in presence of witnesses. On analysis it was found that the accused Abhijit Jambure stored relevant documents in his mobile. He prepared disclosure statement of the accused Abhijit Sanjay Jambure U/s.27 of Evidence Act. The accused took screenshot of whatsapp chats and the same was seized at 6.30 PM on 08.07.2023 and seizure list was prepared. The said screenshots were printed using our official computer of Cyber section. A total of 285 sheets of screenshots of whatsapp chats, 37 sheets of paytm account transaction screenshots were seized on disclosure by Abhijit Sanjay Jambure.

Further he deposed that on 09.09.2023 on receipt of order from Superior officer, he submitted charge sheet against the accused Pathani Samanta Lenka, Soumya Ranjan Pattnaik, Pritam Kar, Prdayumna Sahoo, Saroj Kumar Nayak and Abhijit Sanjay Jambure vide CS no.28 dtd.09.09.2023 u/s.419/420/465/467/468/471/120B/34 of IPC r/w 66C/66D IT Act. On 15.09.2023, he verified the Paytm account and whatsapp accounts of accused Abhijit Sanjay Jambure and found that through UPI Id bearing no 7353069299 he had transferred Rs 500/- and Rs 80/- to the account of on Nisha Barai on 01.11.2022 and 29.10.2022 having transaction id 2305212148418 and 230218194791. As per direction of Hamid, Abhijit had transferred money to Mohd Ikbal Hussain vide mobile no 8768348683 which are placed at page no 10 & 26 of Paytm account screenshot and page no 254 & 255 of whatsapp account screenshots. He sent requisition to service providers for conducting IMEI search of IMEI numbers used in sim no 8768348683, and found that one sim vide no 8310102151 used in the IMEI no 867778064172940. As per his requisition CAF, SDR, CDR of sim no 8310102151 was received from Reliance Jio service provider. On perusal of subscriber detail of the said number it was found that it was in the name of Ikbal Hussain. On 18.09.2023, he proceeded

to Assam and on 19.09.2023, he reached there and took assistance of Jajori PS of Assam, on 20.09.2023, he conducted raid in house of Mohd Iqbal in presence of local witnesses and Mohd Iqbal was apprehended. On his personal search one golden green colour mobile handset having IMEI no 867778064172953 and 867778064172946 in which sim no 8310102151 was inserted was found. One black colour Redmi note 5 mobile and one Aadhaar card and other incriminating materials were also found from his possession. The said items were seized from his possession at 2AM. He examined the seizure witnesses and the accused persons. As prima facie case was made out against Iqbal Hussain, arrested him at 3.20Am observing due procedure and after obtaining transit remand from CJM Nuagaon, Assam, he returned and forwarded the accused to this Court. On 03.10.2023 he made prayer for police remand of Mohd Iqbal and the same was allowed for one day on 04.10.2023. On 26.12.2023, SP, STF sent requisition to SP, STF, West Bengal for submission of certified copy of FIR, seizure list and final form in Siligudi Newjalpaigudi PS case no 1327/2022. On 29.12.2023 he perused the FIR of Siligudi Newjalpaigudi PS case No. 1327/2022 and found that the accused in that case had also sent OTPs to 9556776821 to which the accused Pathanisamanta

had also sent OTPs. During perusal of seizure list of that case it was ascertained that the Siliguri PS had seized the mobile phone from Biswambar Parida. The SP, STF sent notice u/s 91 CrPC to the Nodal officer, Paytm for furnishing required date information with respect to mobile number 7978862268 and 9938126688 and 7846875627 and 6370033909. On 06.01.2024, he received statement of account of Pradyumna Kumar Sahoo from SBI connected with mobile no 7978862268 and it was found that Rs. 400/- was transferred to Gudu Kumar on 28.02.2023 vide reference no of UPI. On 17.01.2024, after receipt of order of superior and completion of investigation, he submitted charge sheet against all the accused persons vide CS No. 04 dated 17.01.2024 U/s. 419/420/465/467/468/471/120B/34 IPC r/w Sec. 66C/66D of IT and he had examined Biswambar Parida and Debasish Parida and recorded their statements u/s 161 crPC.

He further deposed that on 25.01.2024 he made prayer before the this Court to send Ext. 1 to Ext 23 to SFSL, Rasulgarh, BBSR for retrieval of deleted data from seized mobile phone and analyze and opinion. Accordingly, the exhibits were sent vide memo no 136/Judicial, dated 25.01.2024 vide sl no 572/FSL division-Cyber is the acknowledgment receipt

of the exhibits. On 05.02.2024 he ascertained from seized mobile phone that the SIM no 7008405859, 7008754311, 8260932889 & 9938733577 belongs to Pathanisamanta Lenka. SIM No 7788995933 JIO, 7504444989 JIO, 9783579727 Vodafone and 7008896060 JIO seized from accused Saroj Kumar Nayak were analyzed. SIM no 753977157 BSNL, 7609828560 Airtel, 8018571317 Airtel, 8093404704 Airtel seized from Soumyaranjan Pattnaik were analyzed. SIM no 7978862268 seized from accused Pradyumna Kumar Sahoo was analysed. SIM no 9090907771 airtel, 7873252480 Airtel, seized from the accuse Pritam Kar were analyzed. SIM no 7350369299 seized from accused Abhijeet Sanjay Jambure was also analysed. SIM no 8310102151, and 8453159020 seized from accused Mohammad Iqbal Hussain was also analysed. On 07.03.2024 he verified the CAF of mobile number 7008405859 and it was found that it stands in name of accused Pathanisamanta Lenka. He verified the CDR of same mobile number and found that the accused Pathanisamanta had contacted 389 times with Saroj Nayak in his mobile no 7008121600 which was seized from Saroj Nayak. On 09.04.2024 he verified the CDR of mobile no 7008754311 which was seized from accused Pathanisamanta Lenka and it was found that the accused Pathanisamanta had contacted

Soumyaranjan Pattnaik in his mobile no 8093404704 which was seized from accused Soumyaranjan Pattanaik from 03.02.2022 to 08.02.2022. On 11.05.2024, he verified the CDR of mobile no 7008405859 and it was found that the accused Pathanisamanta had contacted Pradyumna Kumar Sahoo in his mobile no 7978862268 which was seized from accused Pradyumna Kumar Sahoo from 19.07.2021 to 06.10.2022. On 11.05.2024, on search of IMEI search of OPP X5 Pro seized from accused Pathanisamanta vide IMEI no 861380061133058, it was found that he had used huge numbers of sim cards in the same IMEI number. On 08.06.2024, he verified the whatsapp chatting screenshots of accused Abhijeet Sanjay Jambure and it was ascertained that he made money transactions and frequently contacted with PIOS namely Hamid Iqbal, having mobile no 03497627076, Danish having mobile no 30446044039, and another, whose name was saved as 'Pak transfer' having mobile no +923216136605 & +923241295573. On 16.07.2024 he verified the screenshots of whatsapp chats of accused Pritam Kar. In page no 73 of his whatsapp charting he did charting with one Radhey bhai having mobile no 8895758374 and it was found that Radhey bhai sent one SBI account of one Saroj Mondal having account no 20192018859 for sending

Rs 1,17,000/- to the said account. On 28.08.2024 at 10AM one person namely Charulata Mohapatra, w/o Hrusikesh Gadanayak of Satya nagar, Bhubaneswar arrived at STF PS and presented a written report alleging that on 13.06.2024 her son sent Rs.50,000/- through Phone pay linked with her SBI account no 65290044644 by mistake to the account of Pathanisamanta Lenka having SBI account no 20205124425 and requested to take action for return of Rs 50,000/-. On 31.08.2024 he verified the SBI account of Pathanisamanta Lenka and it was found that Pathanisamanata Lenka made transaction with Laxmidhar Parida, Manjulata Lenka, Maheswata Nayak, etc. On 05.09.2024, he sent request to SBI, Nayagarh to verify the SBI account regarding these transactions. On 18.09.2024 he received letter from the court of JMFC LR, BBSR regarding release of TVS vehicle bearing no OD25G1589 which was seized from Saroj Nayak, and accordingly it was released.

Further he deposed that on 19.10.2024, he verified the whatsapp chats of Abhijeet Sanjay Jambure with Hamid Iqbal of Pakistan. In page no 52 of whatsapp charting, it is found that Hamid Iqbal sent one pakistan mobile no, i.e 03497627076 which was linked with Pakistani mobile wallet 'Jazz cash' of Hamid Iqbal. On page no 60, I found that Abhijeet sent

Rs 1150/- to Hamid Iqbal. On 02.11.2024 he verified whatsapp chat of Abhijeet Sanjay Jambure in page 73 and found that Hamid Iqbal sent one screenshot of transaction of Rs 1480/- with accused Abhijeet Sanjay Jambure. He verified the Paytm account linked with phone no 7350369299 of accused Sanjay Jambure in page no 4 of Paytm screenshots it was ascertained that he sent Rs 500/- to Hamid Iqbal to his Pakistani Mobile wallet Jazz cash linked with mobile no 03497627076. In page no 7 of Paytm screenshots, he found he sent Rs 2750/- to Hamid Iqbal to his pakistani mobile wallet Jazz cash linked with same mobile no. In page no 9 of PayTM screenshots, he found he sent Rs 400/- to Debasis Parida on his mobile no 6371353883 through Airtel Payment Bank, which was being used by Pathanisamanta Lenka. In page no 36 of PayTM screenshots, he found he sent Rs 150/- to Debasis Parida on his mobile no 6371353883 through Airtel Payment Bank, which was being used by Pathanisamanta Lenka. In page no 10 & 26 of PayTM screenshots, he found he sent Rs 500/- and Rs 80/- respectively to Nisha Baraik on her mobile no 8768348683, which was being used by Md Iqbal Hussain. In page no 16 & 22 of PayTM screenshots, he found he sent Rs 2580/- and Rs 5288/- respectively to Syed Ali Raza on his Pakistani mobile no

03035967705, which was being used by Md Iqbal Hussain. On 12.01.2025 he verified the whatsapp chats of accused Abhijeet Sanjay Jambure and found that he saved one Pakistan mobile no +923241295573 as 'Pak money transfer' and from page 247 & 243 of whatsapp chatting screenshots of Abhijeet sanjay Jambure, it was found that as per direction of PIO, he transferred Rs 400/- and Rs 150/- respectively, to Pathanisamanta Lenka. On 15.03.2025 he analyzed CDR of mobile no 8093404704 of accused Soumyaranjan Pattnaik and found that he contacted with one Manas Kumar Rout of Keonjhar having mob no 9437713704 and contacted Kamlesh Patel of Sambalpur having mobile no 9178262797. On 01.05.2025, as per his request, SP, STF sent Havildar Kailash Chandra Sethi of STF, BBSR to collect exhibits vide sl no 1 to 23 (mobile phones) from SFSL, Bhubaneswar vide command certificate Sl no 1157826. He received exhibits in sealed conditions along with CD, DVD from havildar and requested SP, STF, BBSR to keep the exhibits along with CD, DVD at STF malkhana. As per direction of SP STF, those were kept at STF malkhana vide MR no 10/2023. On 06.05.2025 he sent the said exhibits to the Hon'ble Court and the investigation is open.

In his cross-examination, he deposed that he has not examined Nisha Barai and he has investigated as to which bank account was linked with the phone number '8768348683' and he had obtained CAF details of that number. It was shown to have been registered in the name of Nisha Barai. He has not verified any document to show the model of that phone and Iqbal Hussain was the owner of that mobile phone and he has not seized any document to show the ownership of that mobile phone.

Further he deposed that he has arrested Pradyumna Kumar Sahoo at Mahitama, Nuagaon, Dist-Nayagarh. He has conducted personal search before arresting him. One black colour mobile handset of model VIVO Z1 pro having EMEI no '862144045677831' & 862144045677823, and two simcards having no 7978862268 & 9938126688 was found on his personal search. It was on 08.06.2023 and the time was 6 AM, he printed the seizure list from printer taken by us. We stayed there for about 2 hours. Other villagers namely Lingaraj Sahoo and other villagers had come to the spot during our presence. We had not asked the father of Pradyumna to sign on the seizure list. Prior to arresting Pradyumna I had arrested three other accused persons and forwarded them to Court. He forwarded the accused Pradyumna to court

on day of arrest. He had got evidence from disclosure statement of Pathanisamanta Lenka.

Further he deposed that two seizurelists regarding Pathanisamanta Lenka, one seizurelist regarding Saroj Kumar Nayak were prepared in the case before he took up investigation. He was entrusted with investigation after registration of FIR. After recording statements of Truptiranjana Das, Mukesh Sutar, Santosh Tripathy Sunita Pradhan, Dushmant Mohanty and Ajit Kumar Sathy, he has arrested Saroj Nayak and Pathanisamanta Lenka. He recorded confessional statement of Pathanisamanta Lenka and of Saroj Nayak on 23.05.2023 u/s 27 Evidence Act. The statement u/s 27 Evidence Act were recorded vide separate sheets. Both the accused persons were in police custody and were on remand. He arrested Saroj Nayak from a rented house. He seized the 40 items from Soumyaranjan Pattnaik from his house. He arrested Soumya ranjan Pattnaik on 13.05.2023 at 9AM and recorded his confessional statement on 23.05.2023. He was on police custody at that time, and was taken on remand. He also deposed that Phone pe, Google pay, amazon pay, paytm, etc are some online payment applications in India. Jazz and Paypal are some online applications in Pakistan. Money cannot be transferred from Phonepe to Jazz. He has sent

requisition to freeze bank accounts of Saroj Nayak, Soumya ranjan Pattnaik and Pathanisamanta Lenka on 15.05.2023. We had sent requisition to freeze bank accounts linked with specific mobile numbers. The screenshots of chats were printed from computer of Cyber section. Certificates u/s 65B are furnished for their authenticity. The seized documents were kept in custody of the IO before their submission in court. He have obtained document from service provider showing ownership of the seized sim cards of Saroj Nayak. The seized items were kept in malkhana in proper custody. There is no screenshot of any OTP being shared by the accused Saroj Nayak. OTPs were shared in 'free recharge box'. He also deposed that Pathanisamanta had sent money to the account of Saroj Nayak at HDFC Bank vide account no. 50100240591991 against OTPS shared by Saroj Nayak. Money was sent from several accounts of the accused Pathanisamanta as per his record submitted. Rs. 20,000/- was sent from account of Pathanisamanta Lenka at Ujjivan Bank vide account no 3617110130050858 on 21.05.2022. The screenshots filed in court are obtained by Manoj Kumar Sethy.

Further he deposed that most of the Credit cards and ATM cards seized from Saroj Nayak are in name of Saroj Kumar Nayak. He has verified whether

the simcards seized from Saroj Nayak were operational. Out of the simcards seized from Saroj Nayak some are in his name, and ownership of others are not yet verified. All the simcards in name of Saroj Nayak were in working condition. Further Pritam Kar was in police custody when his statement u/s 27 Evidence Act was recorded. There are mentions of illegal transactions and sharing of OTPs in the screenshots of whatsapp chats seized from Pritam Kar. Abhijit Jambure was an employee at Wipro, as per identity cards verified by him. He has seized documents(screenshots, and bank statements) to show that Abhijeet Jambure was engaged in buying, selling of facebook pages and framing to provide SEO search engine optimisation. He has recorded statement of Abhijit Jambure u/s 27 of Evidence Act. He was in police custody that time.

Further he deposed that one seizure list was prepared on 11.05.2023, and one seizurelist was prepared on 12.05.2023 with respect to the accused Pathanisamanta. He had called for documents from IDFC bank to inquire the registered owner of the debit card seized from Pathanisamanta. He has not examined Noor Fatima and Rabi Meena. The Airtel payment bank vide no 6371353883 was in name of Debasis Parida. The Paytm account linked with 7008754311

was in name of Muralidhar Pradhan. He has not examined Muralidhar Pradhan and he has examined Debasis Parida on 20.06.2023. The official witnesses, no other witnesses were present when the screenshots were printed. No local witnesses were procured while recording statement u/s 27 of Evidence Act. Official witnesses were present. Airtel payment bank account was in the name of Debasis Parida. The Abhijit Jambure has sent Rs 400/- and Rs 150/- to that Airtel payment bank account. He has not filed any document to show ownership of Xiomi Redmi note 5 pro. He has filed authenticated documents showing the locations of that mobile phone. The mobile number 9556776821 to which OTP was sent by accused in Siligudi Newjalpaigudi PS case no 1327/2022 was registered in name of Gobardhan Nayak.

18. During the course of argument the ld. counsel for the accused persons namely Saroj Kumar Nayak, Soumyaranjan Pradhan and Pritam Kar contend that the accused persons are not involved in sharing of OTP business and there is no proof of their involvements in the said crimes and also there is no proof of monetary gain in respect of running of such business. Further he contended that the I.O has not able to show a single credit of money from the any foreign country account to the accounts of the accused person

and the accused membership in the 'free recharge box' group is for the sole purpose of accessing consumer offers on e-commerce platforms and does not constitute a criminal association. Further mere act of buying or selling sim cards does not if so facto constitute an offence and the prosecution has fails to outline a specific modus operandi linking these actions to a crime and the whatsapp screenshots which were recovered from the accused person's mobile phone, they bear no connection to the present case.

Further the ld. counsel for the accused person Md. Iqbal Hussain contend during the argument that during the trial not a single witnesses has whispered against the present accused except the I.O i.e. P.W.11 and the prosecution has fails to examine one Nisha Barai whose mobile number is alleged to be used by the accused person namely Md. Iqbal Hussain for money transaction through Paytm.

Further the ld. counsel for the accused person namely Pathanisamanta Lenka contend during the argument that the entire foundation of the prosecution case is built upon the seizures conducted before the registration of the FIR, this constitute a fatal procedural irregularities that vitiate the entire investigation. In this regard, he also cites the decision of the Hon'ble Court in case of State of Punjab vs.

Baldev Singh and Lalita Kumari vs. Government of Uttar Pradesh in order to demonstrate the illegality of the investigation process. He further contends that the non-examination of independent witnesses specially the independent seizure witnesses raised serious question about the authenticity of the alleged seizure. In this regard, he cited the decision of the Hon'ble Apex Court in case of Ranjit Singh vs. State of Punjab in support of his contention. Further he contends that the entire investigation has originated from an unknown source or spy whose identity has never been disclosed during the trial of this case. Hence, it violates the accused's fundamental rights to fair trial. Further the ld. counsel for the accused person namely Pathanisamanta Lenka has also placed his argument before this Court during the argument that the prosecution has fails to prove the essential ingredients of alleged offences against the accused persons and also fails to examine the material witnesses in relation to this case. Hence, the ld. counsel for all the accused persons prayed to acute the accused persons in relation to this case. On the other hand, ld. APP vehemently objected the contention of the ld. counsels for the accused persons by submitting that the prosecution has successfully proved this case against the accused persons for running the said fraudulent business by

sharing OTPs to different persons including foreign National with knowledge that this Act is illegal and purely for financial gain. Further the prosecution witness are well corroborated the FIR story which proved the involvement of the present accused for cyber fraud by sharing OTPs and illegal procurement of pre-activated sima cards to the foreign Nationals for the sake of money. Further he has submitted that the prosecution has proved its case beyond all reasonable doubts against the accused persons, hence he prayed to convict the accused persons on the materials available in the case record. The submission made by both the parties were discussed later stage while appreciation of evidence in relation to this case.

FINDINGS

19. In order to bring the guilty of the accused persons U/s. 120(B)/34 of IPC, the prosecution must have to prove that there is an agreement between the accused persons prior to the commission of crime and there is a meeting of minds with an intention to commit an illegal act or a legal act by illegal means. In the present case in hand, there is a prior agreement existed in between the accused persons namely Pathani Samanta Lenka, Saroj Kumar Nayak @ Amit, Soumya Ranjan Pattanaik, Pradyumna Kumar Sahoo @ Pinku, Pritam Kar @ Bapun, Abhijeet Sanjay Jambure and

Md. Iqbal Hussain by forming a Facebook group named "Free Recharge Box" with an intention to involve themselves in fraudulent activities by creating mule accounts in names of different peoples and sell those accounts for their personal gain. Further from the evidence of the P.W.1 to P.W.10 along with the I.O of this case i.e. P.W.11, it is found that the principal accused person namely Pathani Samanta Lenka confessed before the I.O that he sold different mobile numbers and OTPs in two particular facebook groups namely 'Free Recharge Box' and 'FRB Trolls' with his active associates namely Saroj Kumar Nayak, Soumyaranjan Pattanaik and other co-accused for monetary transactions with India as well as foreign Nationals by selling such OTPs and mobile numbers. Further from the Ext. P-47/P.W.11, it is found that the accused person namely Pathani Samanta Lenka also confessed his guilty by disclosing the involvement of other accused persons in the crime of this case. Further he also confessed that they also send OTPs to the Pakistan Nationals for creation of whatsapp accounts in the mobile numbers of 9205920737 and 9556776821. Further the allegation of the prosecution regarding the involvement of the accused persons in the present crimes are also corroborated by the confessional statement of the accused persons vide Ext. P-

47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further on perusal of the seizure list i.e. Ext. P-1/P.W.2, Ext. P-2/P.W.2, Ext. P-3/P.W.2, Ext. P-5/P.W.4, Ext. P-6/P.W.5 and Ext. P-7/P.W.6, it is found that the prosecution has well establishes the involvement of the all the accused persons in the said crime. Further from the seizure of whatsapp chats and paytm account statements of the accused persons vide Ext.P-13/P.W.7, Ext.P-14/P.W.7, Ext.P-15/P.W.7, Ext.P-16/P.W.7 and Ext.P-17/P.W.7 along with the authenticity of the said whatsapp chats and paytm account statements by an expert vide Ext. P-8/P.W.7, Ext. P-9/P.W.7, Ext. P-10/P.W.7, Ext. P-11/P.W.7 and Ext. P-12/P.W.7 (Certificate U/s. 65(B) of Evidence Act) discloses that there is a meeting of minds of the accused persons with an intention to commit cheating to the public by using the social media as a platform to fulfill their needs. Further from the evidence of the P.W.11 i.e. the I.O of this case, it is found that the accused persons are made a criminal conspiracy with an intention to commit the illegal act of selling of OTP and mobile numbers of the foreign Nationals including the Pakistanies to earn money in illegal way and the version of the P.W.11 was well corroborated by the other prosecution witnesses of this case. Further the defence has not produced any

evidence in their support to rebut the allegation made by the prosecution against the accused persons in relation to this case. Further mere denial of all the prosecution allegations by the accused persons shall not prove the presumption of innocency in favour of the accused persons in relation to this case. I placed my reliance on the decision of the Hon'ble High Court of Orissa in case of Bihari Das and others vs. State of Orissa 2015 (Supp. I) OLR 388 where the Hon'ble Court has observed that "*meeting of minds of two or more persons for doing or causing to be done an illegal act or an act by illegal means in the sine quo non of criminal conspiracy- offence can be proved largely from the inferences drawn from the acts or illegal omission committed by the conspirators in pursuance of a common design in as much as the conspiracy is always hatched in secrecy and it is impossible to adduce direct evidence of the common intention of the conspirators*". Further in the case of Pradeep Kumar Sharma and another vs. State of Orissa 2007 (Supp.II) OLR 199 where the Hon'ble Court has observed that "*it is not possible in each a case to adduce direct evidence of the same. The offence can be proved from circumstantial evidence. It is not necessary for a conspirator to remain present at the scene of crime.*" In the present case in hand the

membership of the each accused person in one facebook group i.e. free recharge box along with the seizure of multiple pre-activated sim cards and other incriminating materials from the possession of the accused persons, the confessional statement of the accused persons and the transactions of money in between the accused persons clearly proves their pre-meeting of minds before the commission of the said alleged offence which constitute a criminal conspiracy for doing the said illegal act. Hence from the above discussion, it is found that the prosecution has successfully proved the offence punishable U/s. 120(B)/34 of IPC against the accused persons beyond all reasonable doubts.

20. In order to bring the guilty of the accused persons U/s. 420/34 of IPC, the prosecution must have to prove that the accused persons have cheated the subscribers of different social media platforms and thereby dishonestly induces them to send the money to them by sharing the OTPs by using the said pre-activated sim cards for the purpose of earning money. In the present case in hand, the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar are conjointly purchased the pre-activated sim cards from the state of West Bengal

and other states and use those sim cards for sharing OTPs to the foreign nationals including Pakistan in different social media platform through their facebook group namely 'free recharge box'. Further from the evidence of the P.W.1, P.W.2, and P.W.11, it is well proved that the accused persons were obtained the said pre-activated sim cards by the help of forged documentation and used those sim cards for illegal business and use to share OTPs as well as mobile numbers to the group members and made transactions for activation and registration through different social media platform. Further from the Ext.P-17/P.W.7 corroborated by P.W.7, it is found that the accused persons namely Abhijit Sanjay Jambure and Md. Iqbal Hussain also the associates of the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar for doing illegal business through the different social media platforms. It is well proved that the numbers of pre-activated sim cards along with mobile phones and whatsapp chats and money transactions were seized from the exclusive possession of the accused persons of this case vide Ext. P-1/P.W.2, Ext. P-2/P.W.2, Ext. P-3/P.W.2, Ext. P-5/P.W.4, Ext. P-6/P.W.5, Ext. P-7/P.W.6 and Ext. P-17/P.W.7. Further from the evidence of the P.W.1 and

P.W.2 and corroborated by the evidence of the seizure witnesses i.e. P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is forthcoming that the accused person namely Pathanisamanta Lenka along with other co-accused persons were created mule accounts in the name of different peoples and sell those account in order to get money. Further the said fact was further corroborated by the confessional statements of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further from the evidence of the P.W.3 who is one of the seizure witness of this case, it is found that she has deposed in her evidence that some sim cards, one POCO mobile phone, one debit card and cash of Rs. 5,400/- were seized by the informant from the possession of the one of the accused person namely Pathanisamanta Lenka near the Police Aid Post, Master Canteen, Bhubaneswar in her presence. Further from the evidence of the P.W.4 and P.W.6, it is found that total numbers of 72 items including some mobile phones, sim cards, debit cards and laptop were seized from the possession of the another accused person namely Saroj Nayak from his rented house at Nayagarh. Moreover the P.W.5 has deposed in his evidence that as per the information of one of the accused person namely Pathanisamanta Lenka, the

informant along with his team proceeded towards the rented house of the another accused person namely Saroj Kumar Nayak at- Nayagarh where three to four mobile phones, different ATM cards and debit card i.e. total 72 items were seized from his rented house and as per his information, they came to know the involvement of another accused person namely Soumyaranjan Pattanaik of Sujanpur, P.S- Bari, District- Jajpur in the said crime. Further during the investigation of this case there are 40 items were seized from the house of the accused person namely Soumyaranjan Pattanaik in relation to this case. Further from the confessional statement of the accused persons, it is found that all the accused persons were committed the said crime unanimously in furtherance of their common intention by creating mule accounts in the name of the different peoples and sell those accounts by the help of different social media platforms.

During the trial of this case, the prosecution have successfully proved that the accused persons were deceived to the subscribers of different social media by sharing OTPs and the mobile numbers which are obtained by them fraudulently and dishonestly by using false and fabricated documents. Further from the evidence of seizure witnesses i.e.

P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is found that the accused persons were received money from the deceived persons of the social media platform against the illegal businesses and sharing the OTPs as well as different mobile numbers to them. The conduct of the accused persons i.e. obtaining the pre-activated sim cards, false representation by impersonation, itself proves their guilty intention to commit such type of crimes by using the social media platforms. Further from the confessional statement of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11, it is well proved that the accused persons were get involved in the said illegal business for the sake of monetary gain. Further from the seizure of pre-activated sim cards, bank transaction details, debit and credit cards of different banks, numbers of mobile phone and cash from the possession of the accused persons itself prove their guilty in relation to this case. Further on the part of the said illegal businesses, the accused person namely Pathanisamanta Lenka received money from one of the co-accused namely Abhijit Sanjay Jambure through UPI number 7350369299@UPI and accused persons Abhijit Sanjay Jambure send money to the accused Md. Iqbal Hussain through Paytm in his mobile number 8768348683

which proved their interconnection in order to facilitate the said crime.

The Section 34 of IPC provides that when a criminal act is done by several persons in furtherance of the common intention of all, each of such person is liable for that Act in the same manner as if it were done by him alone. While the application of this Section in the present case in hand, it is found that the commission of cyber fraud by sharing one time password and illegal procurement of pre-activated sim cards and receive money from the subscribers of the different social media platform were done by all the accused persons in an organized manner through a facebook group namely 'free recharge box'. The transaction of money in between the accused person and the seizure of pre-activated sim cards along with paytm screenshot and whatsapp chat etc. from the accused persons itself proves their meeting of minds in between the accused persons coupled with a pre-arranged plan to constitute the said alleged crime. Further from the evidence of the prosecution witness, it is found that the accused persons are committed the said crime in furtherance of their common intention. Further I placed my reliance in the decision of the Hon'ble Apex Court in case of Birendra Kumar Ghosh vs. King Emperor where the Hon'ble Court has

observed that “*they also serve who only stand and wait, meaning even a person who does not physically commit the final act is liable if acting in furtherance of common intention*”. Further in case of State of Rajasthan vs. Gurubachan Singh and Sudeep Kumar Sain vs. State of West Bengal where the Hon’ble Court has observed that “*the common intention can be inferred from the conduct of the parties and the circumstance of a case even if direct evidence of a plan is missing*”. In the present case in hand, from the facts and circumstances of this case and the conduct of the parties, it is presumed that the accused persons have a common intention in order to constitute the said alleged offences. Hence, all the accused persons are equally liable for the each offence due to the prior meeting of minds before the commission of the alleged occurrence. Further this Court has already discussed the criminal conspiracy of the accused persons to facilitate the said crimes in the previous points for determination. Hence, from the above discussion, this Court is of opinion that due to prior meeting of minds of the accused persons before the commission of said cyber fraud, hence each accused person are equal liable as it is done by himself. I placed my reliance in the decision of Hon’ble High Court of Orissa passed in Kamurul Haque vs. State of Orissa 2017 (Supp.I) OLR

192 where the Hon'ble Court has observed that *“cheating and dishonestly inducing delivery of property for establishing the offence of cheating, the prosecution is required to show that the accused had fraudulent or dishonest intention at the time of making promise or representation. Deception cannot only be made expressing words but also by conduct or implied in the nature of transaction itself.”* In the present case in hand, the membership of the accused persons in a facebook group namely ‘free recharge box’ and obtaining pre-activated sim cards through false and fabricated documents and use those sim cards for sending OTPs to the subscribers of the different social media platforms and receiving money from them and also sharing the said income among them also proved the conduct of the accused persons regarding the dishonest intention in their minds to deceive the subscribers of the different social media platform by impersonation to earn money.

Further during the argument, ld. counsel for the accused person namely Saroj Kumar Nayak, Soumyaranjan Pattanaik and Pritam Kar contended that the mere fact of buying and selling sim cards does not if so fact constitute an offence and the prosecution has fails to outline the specific modus operandi linking to the action of a crime and there is no connection

establishes with the principal co-accused i.e. Pathanisamanta Lenka by the prosecution at the time of trial. In this regard on perusal of entire evidence adduced from the side of the prosecution, it is found that the accused persons are the member of one 'free recharge box' group and doing cyber frauds by sharing of OTPs through illegal procurement of pre-activated sim cards for the sake of money. The evidence of prosecution witnesses i.e. P.W.1, P.W.2 and P.W.11 and coupled with the material objects seized from the possession of the accused persons vide Ext. P-3/P.W.2 and Ext.P-5/P.W.4 proved the allegation raised by prosecution against the accused persons regarding the commission of the cyber fraud and illegal procurement of pre-activated sim cards and sharing of OTPs to the subscribers of the different social media platform for earning money. Further the confessional statement of the accused persons exhibited vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11 also proved the involvement of the accused persons in the said alleged crime. Moreover the seizure of numbers of pre-activated sim cards obtained through fake documentation along with mobile phones, debit cards proved their culpability in relation to this case. Further the seizure of screenshot of whatsapp chat and facebook messenger chat and the

paytm account transaction details vide Ext. P-13/P.W.7, Ext. P-14/P.W.7, Ext. P-15/P.W.7, Ext. P-16/P.W.7 and Ext. P-17/P.W.7 inferred a reasonable presumption regarding the involvement of the accused persons in the alleged cyber fraud by sharing OTPs and illegal procurement of pre-activated sim cards for the sake of money.

Further during the argument, the Id. counsel for the accused person namely Md. Ikbal Hussain has submitted that none of a single witness has whispered against the accused person Md. Ikbal Hussain except the I.O i.e. P.W.11 and the link between the accused persons and the alleged crime i.e. one Nisha Baria has not been examined in relation to this case. Further the I.O has not verified any document which proved that the said alleged mobile phone through which the accused persons has alleged to be received the money of Rs. 500/- and Rs. 80/- through paytm vide No. 8768348683 and also sent Rs. 2,580/- and Rs.5,288/- to one Sayed Alli Raza on his Pakistani mobile number 03035967705 during the investigation of this case. In this regard, on perusal of the seizure list vide Ext. P-56/P.W.11, it is found that one gold green colour mobile handset i.e. Oneplus 10 R5G having IMEI No. 867778064172953 and 867778064172946 in which one sim number 8310102151 and 8453159020

has been seized by the I.O from the possession of the accused person namely Md. Iqbal Hussain on dtd. 20.09.2023. Further on perusal of the CAF, SDR and CDR of sim number 8310102151 which was received from Reliance Jio Service Provider, it is found that it stands in the name of the accused person namely Md. Iqbal Hussain. When one mobile phone with one sim card seized from a person, it is presumed that the person from whom the said mobile phone was seized is the user and so also the owner of both the mobile phone and sim number. In the present case in hand from the Ext. P-56/P.W.11, it is well proved that the accused person namely Md. Iqbal Hussain is the user of the said alleged sim vide number 8310102151. Hence the prosecution has successfully proved that there is a link between accused persons namely Abhijit Sanjay Jambure and Md. Iqbal Hussain in relation to present crime.

Further during the argument, the ld. counsel on behalf of the accused person namely Pathanisamanta Lenka has submitted that the entire investigation originated from an un-named source or spy whose identity has never been disclosed, this violates the accused's fundamental right to fair trial. He further cited one decision of Hon'ble Court in case of State of Punjab vs. Barkat Ram where the Hon'ble

Court has observed that non-examination of material witnesses gives rights to adverse interference against prosecution. But in the present case in hand, this Spy of the informant is not a material witness to the case of the prosecution. The Section 125 of Evidence Act protect the identity of a Spy or confidential informer or the source from whom the I.O received information regarding commission of a cognizable offence as it comes under a privilege communication to ensure public safety and encourage the reporting of crimes. Further the informant is not bound to disclose the identity of a Spy from whom he received the information regarding the commission of a crime. I placed my reliance in the decision of the Hon'ble High Court of Bombay in case of Baba Saheb Dada Saheb Koli vs. State of Maharashtra where the Hon'ble Court has observed that "*the Police officer cannot be compelled to expose his informant so as to endanger his life, personal safety or personal interest*". Hence, from the above discussion, the allegation raised by the ld. counsel for the accused person namely Pathanisamanta Lenka is answered accordingly.

Further the ld. counsel for the accused person namely Pathanisamanta Lenka argued that the certificate U/s. 65(B) of Evidence Act has not been produced for any of the electronic evidence produced

by the prosecution in relation to this case. In this regards while going through the entire evidence adduced from the side of the prosecution, it is found that the I.O has already been obtained the certificate of electronic expert i.e. P.W.7 vide Ext. P-8/P.W.7, Ext. P-9/P.W.7, Ext. P-10/P.W.7, Ext. P-11/P.W.7 and Ext. P-12/P.W.7 in relation to this case. Hence the allegation raised by the ld. counsel for the defence regarding the non-submission of certificate issued U/s. 65(B) of Evidence Act has got no merit. Further ld. counsel for the accused person argued during the argument that the entire foundation of the prosecution case is built upon seizures conducted before the registration of the FIR and this constitutes a fatal procedural irregularity that vitiate the entire investigation of this case. In this regard they cited the decisions of the Hon'ble Court in case of the State of Punjab vs. Baldeb Singh and Lalita Kumari vs. Government of Uttarpradesh in their support. Perused the case record and it is found that the seizure has been effected before the registration of FIR, but by considering the fact and circumstances of this case and the urgency of the situation where the crime is eminent or evidence might be destroyed, a Police Officer may act immediately. By applying this principle in the present case in hand, this Court found from the

evidence of the prosecution witness as well as the fact of the FIR, the informant has narrated the exigent reason behind the seizure of the article from the possession of the accused person prior to the registration of the FIR of this case as because the accused person might be destroyed the evidence if the procedure was followed at the time of apprehension of the accused person regarding the search and seizure. Further I placed my reliance in the decision of the Hon'ble Apex Court in case of Lalita Kumari vs. Govt. of U.P where the Hon'ble Court has observed that "*if the Officer act on immediate information of a cognizable offence and seizes material, the subsequent registration of the FIR based on that seizure validates the process*". Hence from the above discussion and the observation made by the Hon'ble Court, this Court is of opinion that the immediate search and seizure based on credible information is valid even if the FIR is registered immediately after the seizure of a case. As such this Court is of opinion that the I.O has not committed procedural irregularities by considering urgency of this case. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case U/s. 420/34 of IPC beyond all reasonable doubts against the accused persons.

21. In order to bring the guilty of the accused persons U/s. 419/34 of IPC, the prosecution must have to prove that the accused persons in furtherance of their common intention cheated by personation by pretending themselves to be some other persons in order to committed the cyber fraud by sharing OTPs through the illegal procurement of pre-activated sim cards. On perusal of the entire evidence adduced from the side of the prosecution, it is found that the prosecution has examined eleven numbers of witnesses in its behalf, out of which all the prosecution witnesses have well corroborated the version of the informant i.e. P.W.2 regarding the allegation of cheating by the accused persons namely Pathani Samanta Lenka, Saroj Kumar Nayak, Somyaranjan Pattanaik, Pradyumna Kumar Sahoo, Pritam Kar and their associate namely Abhijit Sanjay Jambure and Md. Iqbal Hussain for purchasing huge numbers of pre-activated sim cards and use those pre-activated sim cards for sharing OTPs through the social media platform named 'free recharge box' to the members of that platform. Further they also send OTPs as well as send the pre-activated mobile numbers to that group members for the purpose of illegal transactions for the sake of money through different social media platform like amazon, flipkart, messho etc. Further from Ext. P-

1/P.W.2, Ext. P-3/P.W.2 and Ext. P-5/P.W.4 marked on behalf of the prosecution, it is found that numbers of sim cards are seized by the I.O from the possession of the accused persons namely Pathanisamanta Lenka, Saroj Kuma Nayak and Soumyaranjan Pattaniak and from which it is inferred that the accused persons were engaged themselves in an organized crime by cheating the innocent persons of different social media platforms by pretending themselves to be some other persons. Further the disclosure statement of the accused persons namely Pathanisamanta Lenka, Somyaranjan Pattanaik, Saroj Kumar Nayak, Pritam Kar and Abhijit Sanjay Jambure vide Ext. P-47/P.W.1, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11 reveals that the accused persons were cheated the subscribers of the different social media platforms by using the said pre-activated mobile numbers for their personal gain. Further from the evidence of P.W.1 to P.W.10 including P.W.11 i.e. the I.O of this case, it is found that the accused persons in furtherance of their common intention unanimously cheated the subscribers of different social media by hiding their identity by pretending them to be some other person. Further from the evidence of prosecution witnesses as well as the list of documents exhibited from the side of the prosecution and so also for the

confessional statement of the accused persons namely Pathanisamanta Lenka, Somyaranjan Pattanaik, Saroj Kumar Nayak, Pritam Kar and Abhijit Sanjay Jambure, it is found that the accused persons were conjointly running a fraudulent business by sharing the OTPs to the different persons including the foreign Nationals with a knowledge that the said act is illegal for their financial gain. Further from the conduct of the accused persons, it is found that they have fraudulently obtained the pre-activated sim cards from West Bengal and used those pre-activated sim cards for the purpose of cheating to others. The seizure of numbers of sim cards along with different types of mobile phones and cash of Rs. 5,400/- from the possession of the principal accused person namely Pathanisamanta Lenka vide Ext.P-1/P.W.2 reveals the involvements of the accused persons for cheating to the different persons by the help of social media platforms by impersonating themselves to be some other person. Further the prosecution has already proved the criminal conspiracy of the accused persons in the above points for determination in relation to this case. Further from the evidence of the P.W.1 and P.W.2 and corroborated by the evidence of the seizure witnesses i.e. P.W.3, P.W.4, P.W.5 and P.W.8, it is forthcoming that the accused person namely Pathanisamanta Lenka along with other

co-accused persons were created mule accounts in the name of different peoples and sell those account in order to get money. Further the said fact was further corroborated by the confessional statements of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further from the evidence of the P.W.3 who is one of the seizure witness of this case, it is found that she has deposed in her evidence that some sim cards, one POCO mobile phone, one debit card and cash of Rs. 5,400/- were seized by the informant from the possession of the one of the accused person namely Pathanisamanta Lenka near the Police Aid Post, Master Canteen, Bhubaneswar in her presence. Further from the evidence of the P.W.4 and P.W.6, it is found that total numbers of 72 items including some mobile phones, sim cards, debit cards and laptop were seized from the possession of the accused person namely Saroj Nayak from his rented house at Nayagarh. Moreover the P.W.5 has deposed in his evidence that as per the information of one of the accused person namely Pathanisamanta Lenka, the informant along with his team proceeded towards the rented house of the another accused person namely Saroj Kumar Nayak at- Nayagarh where three to four mobile phones, different ATM cards and debit card i.e. total 72 items

were seized from his rented house and as per his information, they came to know the involvement of another accused person namely Soumyaranjan Pattanaik of Sujapur, P.S- Bari, District- Jajpur in the said crime. Further during the investigation of this case there are 40 items were seized from the house of the accused person namely Soumyaranjan Pattanaik in relation to this case. Further from the confessional statement of the accused persons, it is found that all the accused persons were committed the said crime unanimously in furtherance of their common intention by creating mule accounts in the name of the different peoples and sell those accounts by the help of different social media platforms. Further during the trial, the accused persons have fails to give reasonable explanation regarding the possession of huge numbers pre-activated sim cards from which, it is presumed that they have obtained the said pre-activated sim cards through false documentation and use those pre-activated sim cards for the said cyber fraud. Further the creation of huge number of accounts in a social media platform itself proves their impersonation from the side of the prosecution during the trial of this case.

Further from the evidences of P.W.1, P.W.2 and P.W.5, it is found that they have deposed in their evidence that the accused persons namely

Pathanisamanta Lenka along with his associates had purchased bulk quantity of pre-activated sim cards from one Udaya Kumar Shaw from West Bengal for the purpose of cheating by personation to the different subscribers of social media platforms by providing OTPs to the foreign entities for the said crimes. Further the seizure witnesses i.e. P.W.4 and P.W.6 also well corroborated the allegation of the prosecution regarding the seizure and involvement of the accused persons in the present crime for cheating the innocent peoples by way of impersonation. I placed my reliance in the decision of the Hon'ble Court in 2004 (I) OLR 479 : 2004 (2) Crimes 371 (Ori) : IV (2004) CCR 282 (Ori) where the Hon'ble Court has opined that in order to prove the offence U/s. 419 it is further required to prove that all the acts are done by personation. In the present case in hand, it is well proved by the prosecution that the accused persons are fraudulently cheated others by creating mule accounts and by sharing OTPs through illegal procurement of pre-activated sim cards and they hide their identity while doing that illegal businesses through social media. Further the ld. counsels for the accused persons have not argued anything on behalf of the accused persons in order to rebut the allegation of the prosecution in relation to this offence is concerned. Hence from the

above discussion, it can be concluded that the prosecution has successfully proved its case against the accused persons U/s. 419/34 of IPC beyond all reasonable doubts.

22. In order to bring the guilty of the accused persons U/s. 465/34 of IPC, the prosecution must have to prove that the accused persons are in furtherance of their common intention makes false document or electronic record dishonestly or fraudulently with the intention to cause damage or injury to the public or any person or to support any claim or title. In the present case in hand, while going through the prosecution evidence, it is found that the P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11 are deposed in their evidence that the accused person namely Pathanisamanta Lenka along with other co-accused Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar are engaged themselves in a fraudulent business i.e. creating mule accounts in the name of different peoples by use of fake activated sim cards by sharing OTPs to different persons including foreign nationals and also sell those accounts with knowledge that the said act is illegal one and they have also caught hold with bulk quantity of pre-activated sim cards which were used to share OTPs and mobile numbers to the group members including

foreign Nationals (including Pakistan) through a facebook group named 'free recharge box' and made transaction for the sake of money for activation and registration through different media platform for their pecuniary gain. Further from the evidence of P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is found that the accused person namely Pathanisamanta Lenka by using false document obtained numbers of pre-activated sim cards from West Bengal and used the said sim cards by selling such OTPs and mobile numbers to the foreign Nationals for wrongful gain. Further the said pre-activated sim cards along with different mobile phones were seized from his possession by the I.O vide Ext. P-1/P.W.2. Further the seizure witnesses i.e. P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8 are well corroborated the allegation of prosecution regarding the search and seizure from the possession of accused person namely Pathanisamanta Lenka. Further during the cross-examination of the above mentioned seizure witnesses nothing has brought from their evidence by the defence which can disprove the seizure of said bulk quantity of pre-activated sim cards from the possession of the accused person namely Pathanisamanta Lenka. Further from the confessional statement of the accused persons namely Pathanisamanta Lenka vide Ext. P-47/P.W.11, Soumyaranjan Pattanaik vide Ext. P-49/P.W.11, Saroj

Kumar Nayak vide Ext. P-51/P.W.11, Pritam Kar vide Ext. P-52/P.W.11 and Abhijit Sanjay Jambure vide Ext. P-54/P.W.11, it is found that the accused persons are confessed their guilty before the I.O in relation to this case and from their confessional statements, this Court presumed their involvement in black marketing of pre-activated sim cards and sharing of OTPs to the subscribers of different social media platforms for their wrongful financial gain. The use of said pre-activated sim cards by the accused persons in social media platforms without having any valid document of their own itself prove their fraudulent and dishonest intention to cause damage to the public at large who are faith on them in a social media platform. Further the creation of huge numbers of mule accounts by the accused person also proved that they have created the said mule accounts by the use of false documentation which comes under the purview of forgery. It is an admitted fact that the accused persons were obtained the said pre-activated sim cards by the use of false documents and electronic records which was well proved by the prosecution witness i.e. P.W.1 to P.W.8. Further from the Ext. P-17/P.W.7 i.e. screenshots of whatsapp chat of accused person namely Abhijit Jambure in page No. 73, it is found that one Hamid Ikbal of Pakistan Nationals sent one screenshot of

transaction of Rs. 1,480/- to the accused Abhijit Sanjay Jambure through Paytm to his phone number i.e. 7350369299. Further from the evidence from the side of the prosecution, it is found that there is a monetary transaction of the accused person Abhijit Sanjay Jambure with one Debasish Parida on his mobile number 6371353883 through Airtel payment bank which has been used by the accused person Pathanisamanta Lenka. Further in Page No. 10 and 26 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is well proved that there is also a monetary transaction of the accused person Abhijit Sanjay Jambure with the accused person Md. Iqbal Hussain. Further from the page No. 16 and 12 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is proved that there is a monetary transaction and linked between Md. Iqbal Hussain and one Sayed Ali Raza of Pakistan Nationals through his Pakistani mobile number i.e. 03035967705. Further on perusal of the evidence adduced from the side of the prosecution along with all the exhibits marks on behalf of the prosecution and by considering the confessional statements of the accused persons, it is well proved that the accused persons are conjointly in furtherance of their common intention have obtained the pre-activated sim cards through false

documentation and used those sim cards for sharing OTPs to the foreign entities for the operation of whatsapp and other social media platforms with a knowledge that could harm the stability and security of our Nation for their financial gain. I placed my reliance in the decision of Hon'ble Court in AIR 1997 SC 1448 where the Hon'ble Court has observed that "*if the forgery goes, the cheating cannot stand. Where forgery is the principal allegation, the cheating is a consequential offence.*" In the present case in hand, cheating made by the accused persons has already been proved from the above points for determination. Hence, it is obvious that while the cheating of the accused persons are well proved by the prosecution, it also proves the forgery made by the accused persons for the purpose of cheating to the others. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case against the accused persons U/s. 465/34 of IPC beyond all reasonable doubts.

23. In order to bring the guilty of the accused persons U/s. 467/34 of IPC, the prosecution must have to prove that the accused persons are in furtherance of their common intention have used the forged document for obtaining the pre-activated sim cards from the state of West Bengal and used those sim

cards for sharing OTPs and other information to different persons including foreign Nationals for operation of whatsapp and other social media platform through which they received money from them. On perusal of entire evidence adduced from the side of the prosecution, it is found that it is found that the accused persons have used forged documents for obtaining the pre-activated sim cards and use those sim cards for sharing OTPs to the different Nationals for operation different social media platform by using their facebook group namely 'free recharge box'. Further from the evidence of the P.W.1 and P.W.2 and corroborated by the evidence of the seizure witnesses i.e. P.W.3, P.W.4, P.W.5 and P.W.8, it is forthcoming that the accused person namely Pathanisamanta Lenka along with other co-accused persons were created mule accounts in the name of different peoples and sell those account in order to get money. Further the said fact was further corroborated by the confessional statements of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further from the evidence of the P.W.3 who is one of the seizure witness of this case, it is found that she has deposed in her evidence that some sim cards, one POCO mobile phone, one debit card and cash of Rs. 5,400/- were seized by the informant from

the possession of the one of the accused person namely Pathanisamanta Lenka near the Police Aid Post, Master Canteen, Bhubaneswar in her presence. Further from the evidence of the P.W.4 and P.W.6, it is found that total numbers of 72 items including some mobile phones, sim cards, debit cards and laptop were seized from the possession of the accused person namely Saroj Nayak from his rented house at Nayagarh. Moreover the P.W.5 has deposed in his evidence that as per the information of one of the accused person namely Pathanisamanta Lenka, the informant along with his team proceeded towards the rented house of the another accused person namely Saroj Kumar Nayak at- Nayagarh where three to four mobile phones, different ATM cards and debit card i.e. total 72 items were seized from his rented house and as per his information, they came to know the involvement of another accused person namely Soumyaranjan Pattanaik of Sujanpur, P.S- Bari, District- Jajpur in the said crime. Further during the investigation of this case there are 40 items were seized from the house of the accused person namely Soumyaranjan Pattanaik in relation to this case. Further from the confessional statement of the accused persons, it is found that all the accused persons were committed the said crime unanimously in furtherance of their common intention

by creating mule accounts in the name of the different peoples and sell those accounts by the help of different social media platforms.

Further from the evidence of prosecution witness i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11, it is found that the accused person Pathanisamanta Lenka and other co-accused are members of that facebook group. Further from the evidence of prosecution witnesses i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11, it is found that that the accused person namely Pathanisamanta Lenka along with other co-accused Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar are engaged themselves in a fraudulent business i.e. sharing of OTPs to different persons including foreign Nationals with knowledge that the said act is illegal one and they are also caught hold with bulk quantity of pre-activated sim cards which were used to share OTPs as well as mobile numbers to the group members including foreign Nationals (including Pakistan) through a facebook group named 'free recharge box' and made transaction for the sake of money for activation and registration through different media platform for their pecuniary gain. Further from the evidence of P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is found that the accused person namely Pathanisamanta Lenka and

other co-accused persons by using false document obtained numbers of pre-activated sim cards from West Bengal and used the said sim cards by selling such OTPs and mobile numbers to the foreign Nationals for wrongful gain. Further the said pre-activated sim cards along with different mobile phones were seized from the possession of the accused persons by the I.O vide Ext. P-1/P.W.2, Ext. P-2/P.W.2, Ext. P-3/P.W.2, Ext. P-5/P.W.4, Ext. P-6/P.W.5 and Ext. P-7/P.W.6. Further the seizure witnesses i.e. P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8 are well corroborated the allegation of prosecution regarding the search and seizure from the possession of accused person namely Pathanisamanta Lenka and other co-accused persons. Further during the cross-examination of the above mentioned seizure witnesses nothing has brought from their evidence which can disprove the seizure of said bulk quantity of pre-activated sim cards from the possession of the accused persons. Further from the confessional statement of the accused persons namely Pathanisamanta Lenka vide Ext. P-47/P.W.11, Soumyaranjan Pattanaik vide Ext. P-49/P.W.11, Saroj Kumar Nayak vide Ext. P-51/P.W.11, Pritam Kar vide Ext. P-52/P.W.11 and Abhijit Sanjay Jambure vide Ext. P-54/P.W.11, it is found that the accused persons are confessed their guilty before the I.O in relation to

this case and from their confessional statements, their involvement in black marketing of pre-activated sim cards and sharing of OTPs to the subscribers of different social media platforms for their wrongful financial gain is proved by the prosecution. The use of said pre-activated sim cards by the accused persons in social media platforms without having any valid document of their own itself prove their fraudulent and dishonest intention to cause damage to the public at large who are faith on them in a social media platform. It is an admitted fact that the accused persons were obtained the said pre-activated sim cards by the use of false documents and electronic records which was well proved by the prosecution witness i.e. P.W.1 to P.W.8. Further from the Ext. P-17/P.W.7 i.e. screenshots of whatsapp chat of accused person namely Abhijit Jambure in page No. 73, it is found that one Hamid Iqbal of Pakistan Nationals sent one screenshot of transaction of Rs. 1,480/- to the accused Abhijit Sanjay Jambure through Paytm to his phone number i.e. 7350369299. Further from the evidence from the side of the prosecution, it is found that there is a monetary transaction of the accused person Abhijit Sanjay Jambure with one Debasish Parida on his mobile number 6371353883 through Airtel payment bank which has been used by the accused person

Pathanisamanta Lenka. Further in Page No. 10 and 26 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is well proved that there is also a monetary transaction of the accused person Abhijit Sanjay Jambure with the accused person Md. Iqbal Hussain. Further from the page No. 16 and 12 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is proved that there is a monetary transaction and linked between Md. Iqbal Hussain and one Sayed Ali Raza of Pakistan Nationals through his Pakistani mobile number i.e. 03035967705. Further on perusal of the evidence adduced from the side of the prosecution along with all the exhibits marks on behalf of the prosecution and by considering the confessional statements of the accused persons, it is well proved that the accused persons are conjointly in furtherance of their common intention have obtained the pre-activated sim cards through false documentation and used those sim cards for sharing OTPs to the foreign entities for the operation of whatsapp and other social media platforms with a knowledge that could harm the stability and security of our Nation for their financial gain. I placed my reliance in the decision of the Hon'ble Court in case of Surendranath Mishra vs. State of Orissa 2016 OLR 213 where the Hon'ble Court has observed that "*the*

forgery is sine qua non of offences under the Section 467 of IPC". In the present case in hand, the prosecution has already been proved the involvement of the accused persons for committing a forgery in the above points for determination. Further the prosecution has successfully proved the creating of mule accounts and activation of huge numbers of sim cards in the favour of the accused persons by the use of false documentation itself proves the essential ingredients of Section 467 of IPC against the accused persons of this case. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case against the accused persons U/s. 467/34 of IPC beyond all reasonable doubts.

24. In order to bring the guilty of the accused persons U/s. 468/34 of IPC, the prosecution must have to prove that the accused persons were in furtherance of their common intention commit forgery of documents used for obtaining pre-activated sim cards and use those sim cards for creating mule accounts in the name of different peoples by intending that such forged documents can be used by them for obtaining said pre-activated sim cards to share OTPs and other information to the subscribers of different social media platforms in order to cheat them for the sake of money. On perusal of entire evidence adduced

from the side of the prosecution, it is found that it is found that the accused persons have used forged documents for obtaining the pre-activated sim cards and use those sim cards for sharing OTPs to the different Nationals for operation different social media platform by using their facebook group namely 'free recharge box'. Further from the evidence of the P.W.1 and P.W.2 and corroborated by the evidence of the seizure witnesses i.e. P.W.3, P.W.4, P.W.5 and P.W.8, it is forthcoming that the accused person namely Pathanisamanta Lenka along with other co-accused persons were created mule accounts in the name of different peoples and sell those account in order to get money. Further the said fact was further corroborated by the confessional statements of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further from the evidence of the P.W.3 who is one of the seizure witness of this case, it is found that she has deposed in her evidence that some sim cards, one POCO mobile phone, one debit card and cash of Rs. 5,400/- were seized by the informant from the possession of the one of the accused person namely Pathanisamanta Lenka near the Police Aid Post, Master Canteen, Bhubaneswar in her presence. Further from the evidence of the P.W.4 and P.W.6, it is found that

total numbers of 72 items including some mobile phones, sim cards, debit cards and laptop were seized from the possession of the accused person namely Saroj Nayak from his rented house at Nayagarh. Moreover the P.W.5 has deposed in his evidence that as per the information of one of the accused person namely Pathanisamanta Lenka, the informant along with his team proceeded towards the rented house of the another accused person namely Saroj Kumar Nayak at- Nayagarh where three to four mobile phones, different ATM cards and debit card i.e. total 72 items were seized from his rented house and as per his information, they came to know the involvement of another accused person namely Soumyaranjan Pattanaik of Sujapur, P.S- Bari, District- Jajpur in the said crime. Further during the investigation of this case there are 40 items were seized from the house of the accused person namely Soumyaranjan Pattanaik in relation to this case. Further from the confessional statement of the accused persons, it is found that all the accused persons were committed the said crime unanimously in furtherance of their common intention by creating mule accounts in the name of the different peoples and sell those accounts by the help of different social media platforms.

Further from the evidence of prosecution witness i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11, it is found that the accused person Pathanisamanta Lenka and other co-accused are members of that facebook group. Further from the evidence of prosecution witnesses i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11, it is found that that the accused person namely Pathanisamanta Lenka along with other co-accused Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar are engaged themselves in a fraudulent business i.e. sharing of OTPs to different persons including foreign Nationals with knowledge that the said act is illegal one and they are also caught hold with bulk quantity of pre-activated sim cards which were used to share OTPs as well as mobile numbers to the group members including foreign Nationals (including Pakistan) through a facebook group named 'free recharge box' and made transaction for the sake of money for activation and registration through different media platform for their pecuniary gain. Further from the evidence of P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is found that the accused person namely Pathanisamanta Lenka and other co-accused persons by using false document obtained numbers of pre-activated sim cards from West Bengal and used the said sim cards by selling such

OTPs and mobile numbers to the foreign Nationals for wrongful gain. Further the said pre-activated sim cards along with different mobile phones were seized from his possession by the I.O vide Ext. P-1/P.W.2, Ext. P-2/P.W.2, Ext. P-3/P.W.2, Ext. P-5/P.W.4, Ext. P-6/P.W.5 and Ext. P-7/P.W.6. Further the seizure witnesses i.e. P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8 are well corroborated the allegation of prosecution regarding the search and seizure from the possession of accused person namely Pathanisamanta Lenka and other co-accused persons. Further during the cross-examination of the above mentioned seizure witnesses nothing has brought from their evidence by the defence which can disprove the seizure of said bulk quantity of pre-activated sim cards from the possession of the accused person namely Pathanisamanta Lenka. Further from the confessional statement of the accused persons namely Pathanisamanta Lenka vide Ext. P-47/P.W.11, Soumyaranjan Pattanaik vide Ext. P-49/P.W.11, Saroj Kumar Nayak vide Ext. P-51/P.W.11, Pritam Kar vide Ext. P-52/P.W.11 and Abhijit Sanjay Jambure vide Ext. P-54/P.W.11, it is found that the accused persons are confessed their guilty before the I.O in relation to this case and from their confessional statements, this Court presumed their involvement in black marketing of pre-activated sim cards and sharing of OTPs to the

subscribers of different social media platforms for their wrongful financial gain. The use of said pre-activated sim cards by the accused persons in social media platforms without having any valid document of their own itself prove their fraudulent and dishonest intention to cause damage to the public at large. It is an admitted fact that the accused persons were obtained the said pre-activated sim cards by the use of false documents and electronic records which was well proved by the prosecution witness i.e. P.W.1 to P.W.8. Further from the Ext. P-17/P.W.7 i.e. screenshots of whatsapp chat of accused person namely Abhijit Jambure in page No. 73, it is found that one Hamid Ikbal of Pakistan Nationals sent one screenshot of transaction of Rs. 1,480/- to the accused Abhijit Sanjay Jambure through Paytm to his phone number i.e. 7350369299. Further from the evidence from the side of the prosecution, it is found that there is a monetary transaction of the accused person Abhijit Sanjay Jambure with one Debasish Parida on his mobile number 6371353883 through Airtel payment bank which has been used by the accused person Pathanisamanta Lenka. Further in Page No. 10 and 26 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is well proved that there is also a monetary transaction of the accused

person Abhijit Sanjay Jambure with the accused person Md. Iqbal Hussain. Further from the page No. 16 and 12 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is proved that there is a monetary transaction and linked between Md. Iqbal Hussain and one Sayed Ali Raza of Pakistan Nationals through his Pakistani mobile number i.e. 03035967705. Further on perusal of the evidence adduced from the side of the prosecution along with all the exhibits marks on behalf of the prosecution and by considering the confessional statements of the accused persons, it is well proved that the accused persons are conjointly in furtherance of their common intention have obtained the pre-activated sim cards through false documentation and used those sim cards for sharing OTPs to the foreign entities for the operation of whatsapp and other social media platforms with a knowledge that could harm the stability and security of our Nation for their financial gain. Further from the evidence of the prosecution witness i.e. P.W.1, P.W.2, P.W.7 and P.W.11 and being corroborated by P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is well proved that the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattnaik, Pradyumna Kumar Sahoo and Pritam Kar are involved themselves by making a false document of their

identity through which they obtained the bulk quantity of pre-activated sim cards with an intention to cheat the subscribers of different social media platforms by sending OTPs and other information to them dishonestly for their wrongful gain of money. Further the defences have not rebutted the allegation of the prosecution regarding the forgery of documents by the accused persons for the purpose of cheating the common people at the time cross examination of the prosecution witnesses. Further the defence has fails to examine either a single witness or exhibited a single document in their behalf in order to rebut the allegation of the prosecution against the accused persons in relation to the offence punishable U/s. 468/34 of IPC. Moreover, from the Ext. P-13/P.W.7, Ext. P-14/P.W.7, Ext. P-15/P.W.7, Ext. P-16/P.W.7 and Ext. P-17/P.W.7, it is well proved that the accused persons are received money from the subscribers of different social media platforms by sending the OTPs through the said pre-activated sim cards which was obtained by them by using forged documents. Further from the above exhibits which were marked on behalf of the prosecution, it is found that the accused persons have wrongfully gain money from others by using the said pre-activated sim cards obtained by using their false document. Further from the above discussion, it is well

proved that the accused persons were forged the document for obtaining the pre-activated sim cards for creating different mule accounts and sold that mule accounts and also the OTPs to the others for the sake of money, hence the prosecution has successfully proved that the accused persons have forged the documents for the purpose of cheating to the others. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case against the accused persons U/s. 468/34 of IPC beyond all reasonable doubts.

25. In order to bring the guilty of the accused persons U/s. 471/34 of IPC, the prosecution must have to prove that the accused persons are in furtherance of their common intention use as genuine their forged documents in order to obtain the pre-activated sim cards from the state of West Bengal and also use those sim cards for creating different mule accounts for the purpose of receiving money from the subscribers of the different social media platforms. On perusal of entire evidence adduced from the side of the prosecution, it is found that the accused persons have fraudulently and knowingly uses as genuine the forged documents for obtaining the pre-activated sim cards and use those sim cards for sharing OTPs to the different Nationals for operation different social media

platform by using their facebook group namely 'free recharge box'. Further from the evidence of the P.W.1 and P.W.2 and corroborated by the evidence of the seizure witnesses i.e. P.W.3, P.W.4, P.W.5 and P.W.8, it is forthcoming that the accused person namely Pathanisamanta Lenka along with other co-accused persons were created mule accounts in the name of different peoples and sell those account in order to get money. Further the said fact was further corroborated by the confessional statements of the accused persons vide Ext. P-47/P.W.11, Ext. P-49/P.W.11, Ext. P-51/P.W.11, Ext. P-52/P.W.11 and Ext. P-54/P.W.11. Further from the evidence of the P.W.3 who is one of the seizure witness of this case, it is found that she has deposed in her evidence that some sim cards, one POCO mobile phone, one debit card and cash of Rs. 5,400/- were seized by the informant from the possession of the one of the accused person namely Pathanisamanta Lenka near the Police Aid Post, Master Canteen, Bhubaneswar in her presence. Further from the evidence of the P.W.4 and P.W.6, it is found that total numbers of 72 items including some mobile phones, sim cards, debit cards and laptop were seized from the possession of the accused person namely Saroj Nayak from his rented house at Nayagarh. Moreover the P.W.5 has deposed in his evidence that

as per the information of one of the accused person namely Pathanisamanta Lenka, the informant along with his team proceeded towards the rented house of the another accused person namely Saroj Kumar Nayak at- Nayagarh where three to four mobile phones, different ATM cards and debit card i.e. total 72 items were seized from his rented house and as per his information, they came to know the involvement of another accused person namely Soumyaranjan Pattanaik of Sujanpur, P.S- Bari, District- Jajpur in the said crime. Further during the investigation of this case there are 40 items were seized from the house of the accused person namely Soumyaranjan Pattanaik in relation to this case. Further from the confessional statement of the accused persons, it is found that all the accused persons were committed the said crime unanimously in furtherance of their common intention by creating mule accounts in the name of the different peoples and sell those accounts by the help of different social media platforms.

Further from the evidence of prosecution witness i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11, it is found that the accused person Pathanisamanta Lenka and other co-accused are members of that facebook group. Further from the evidence of prosecution witnesses i.e. P.W.1, P.W.2, P.W.3, P.W.5 and P.W.11,

it is found that that the accused person namely Pathanisamanta Lenka along with other co-accused Saroj Kumar Nayak, Soumyaranjan Pattanaik, Pradyumna Kumar Sahoo and Pritam Kar are engaged themselves in a fraudulent business i.e. sharing of OTPs to different persons including foreign Nationals with knowledge that the said act is illegal one and they are also caught hold with bulk quantity of pre-activated sim cards which were used to share OTPs as well as mobile numbers to the group members including foreign Nationals (including Pakistan) through a facebook group named 'free recharge box' and made transaction for the sake of money for activation and registration through different media platform for their pecuniary gain. Further from the evidence of P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is found that the accused person namely Pathanisamanta Lenka and other co-accused persons were using false document obtained numbers of pre-activated sim cards from West Bengal and used the said sim cards by selling such OTPs and mobile numbers to the foreign Nationals for wrongful gain. Further the said pre-activated sim cards along with different mobile phones were seized from his possession by the I.O vide Ext. P-1/P.W.2, Ext. P-2/P.W.2, Ext. P-3/P.W.2, Ext. P-5/P.W.4, Ext. P-6/P.W.5 and Ext. P-7/P.W.6. Further the seizure

witnesses i.e. P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8 are well corroborated the allegation of prosecution regarding the search and seizure from the possession of accused person namely Pathanisamanta Lenka and other co-accused persons. Further during the cross-examination of the above mentioned seizure witnesses nothing has brought from their evidence by the defence which can disprove the seizure of said bulk quantity of pre-activated sim cards from the possession of the accused person namely Pathanisamanta Lenka. Further from the confessional statement of the accused persons namely Pathanisamanta Lenka vide Ext. P-47/P.W.11, Soumyaranjan Pattanaik vide Ext. P-49/P.W.11, Saroj Kumar Nayak vide Ext. P-51/P.W.11, Pritam Kar vide Ext. P-52/P.W.11 and Abhijit Sanjay Jambure vide Ext. P-54/P.W.11, it is found that the accused persons are confessed their guilty before the I.O in relation to this case and from their confessional statements, this Court presumed their involvement in black marketing of pre-activated sim cards and sharing of OTPs to the subscribers of different social media platforms for their wrongful financial gain. The use of said pre-activated sim cards by the accused persons in social media platforms without having any valid document of their own itself prove their fraudulent and dishonest intention to cause damage to the public at large who

are faith on them in a social media platform. It is an admitted fact that the accused persons were obtained the said pre-activated sim cards by the use of false documents and electronic records which was well proved by the prosecution witness i.e. P.W.1 to P.W.8. Further from the Ext. P-17/P.W.7 i.e. screenshots of whatsapp chat of accused person namely Abhijit Jambure in page No. 73, it is found that one Hamid Iqbal of Pakistan Nationals sent one screenshot of transaction of Rs. 1,480/- to the accused Abhijit Sanjay Jambure through Paytm to his phone number i.e. 7350369299. Further from the evidence from the side of the prosecution, it is found that there is a monetary transaction of the accused person Abhijit Sanjay Jambure with one Debasish Parida on his mobile number 6371353883 through Airtel payment bank which has been used by the accused person Pathanisamanta Lenka. Further in Page No. 10 and 26 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is well proved that there is also a monetary transaction of the accused person Abhijit Sanjay Jambure with the accused person Md. Iqbal Hussain. Further from the page No. 16 and 12 of Paytm screenshot of accused Abhijit Sanjay Jambure vide Ext.P-17/P.W.7, it is proved that there is a monetary transaction and linked between Md. Iqbal

Hussain and one Sayed Ali Raza of Pakistan Nationals through his Pakistani mobile number i.e. 03035967705. Further on perusal of the evidence adduced from the side of the prosecution along with all the exhibits marks on behalf of the prosecution and by considering the confessional statements of the accused persons, it is well proved that the accused persons are conjointly in furtherance of their common intention have obtained the pre-activated sim cards through false documentation and used those sim cards for sharing OTPs to the foreign entities for the operation of whatsapp and other social media platforms with a knowledge that could harm the stability and security of our Nation for their financial gain. Further from the evidence of the prosecution witness i.e. P.W.1, P.W.2, P.W.7 and P.W.11 and being corroborated by P.W.3, P.W.4, P.W.5, P.W.6 and P.W.8, it is well proved that the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattnaik, Pradyumna Kumar Sahoo and Pritam Kar are knowingly used false document of their identity through which they obtained the bulk quantity of pre-activated sim cards with an intention to cheat the subscribers of different social media platforms by sending OTPs and other information to them dishonestly for their wrongful gain of money. Further

the defences have not rebutted the allegation of the prosecution regarding the forgery of documents by the accused persons for the purpose of cheating the common people at the time cross examination of the prosecution witnesses. Further the defence has fails to examine either a single witness or exhibited a single document in their behalf in order to rebut the allegation of the prosecution against the accused persons in relation to the offence punishable U/s. 471/34 of IPC. Moreover, from the Ext. P-13/P.W.7, Ext. P-14/P.W.7, Ext. P-15/P.W.7, Ext. P-16/P.W.7 and Ext. P-17/P.W.7, it is well proved that the accused persons are received money from the subscribers of different social media platforms by sending the OTPs through the said pre-activated sim cards which was obtained by them by using forged documents. Further during the examination of prosecution witness, the defence has fails to prove that the accused persons were not knowingly used those documents for obtaining pre-activated sim cards for the purpose of commission of the alleged crime. Further from the above exhibits which were marked on behalf of the prosecution, it is found that the accused persons have wrongfully gain money from others by using the said pre-activated sim cards obtained by using their false document. Hence from the above discussion, it is crystal clear that the

prosecution has successfully proved its case against the accused persons U/s. 471/34 of IPC beyond all reasonable doubts.

26. In order to bring the guilty of the accused persons U/s. 66(C) of I.T Act, the prosecution must have to prove that the accused persons in furtherance of their common intention committed identity theft by engaging themselves fraudulent use of another person's identity proof for obtaining bulk quantity of pre-activated sim cards and creating different mule accounts which are used for un-authorizedly sending the credentials for their wrongful gain. From the evidence of prosecution witnesses i.e. P.W.1 to P.W.11 except P.W.9 and P.W.10, it is well proved that the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattnaik, Pradyumna Kumar Sahoo and Pritam Kar were used the identity of different persons for obtaining the said pre-activated sim cards through which they sent OTPs along with other information to the subscribers of the different social media platforms including the foreign Nationals (including Pakistan) for which they get money from them. Further the other co-accused namely Abhijeet Sanjay Jambure and Md. Iqbal Hussain are also equal liable for the offence U/s. 66(C) of I.T Act as previously the prosecution has successfully proved

their involvement with the other accused persons for doing cyber fraud and sharing OTPs and illegal procurement of pre-activated sim cards by the help of evidence of the prosecution witness. Further from the exhibits marked on behalf of the prosecution i.e. Ext.P-1 to Ext. P-56, it is found that the accused persons were dishonestly use the OTPs which were obtained by them by the use of pre-activated sim cards for wrongful gain. Further from the evidence of the prosecution witness specifically P.W.11 who is the I.O of this case, it is found that the accused persons had an evil intention to deceive the subscribers of different social media platforms and thereby cause wrongful gain by themselves by sharing the OTPs through the said pre-activated sim cards. Further from the seizure list marked on behalf of the prosecution i.e. Ext. P-13/P.W.7, Ext. P-14/P.W.7, Ext. P-15/P.W.7, Ext. P-16/P.W.7 and Ext. P-17/P.W.7, it is well proved that there is a transaction of money in between the accused persons which proves their involvement in the present crime. Further the fraudulent use of OTPs by the accused persons to the subscribers of different social media platforms through the mule accounts also prove their guilty U/s. 66(C) of I.T Act. Further from the evidence from the prosecution witness i.e. P.W.1 to P.W.8 along with the P.W.11 (I.O of this case) coupled

with the seizure of mule accounts, pre-activated sim cards, whatsapp chats and paytm account transaction statements etc., it is well proved that the accused person were committed identity theft by involving themselves for fraudulent use of different OTPs for committing cyber fraud. Further the One Time Password i.e. OTP is considered a type of password more accurately a temporarily one time password. While it serves the same basic function as a password, it authenticates a user identity. In the present case in hand, the prosecuting has previously proved that the accused persons have used the pre-activated sim cards for creating mule accounts and through the said mule accounts they shared OTPs to the subscribers of different social media platform including the foreign Nationals i.e. Pakistan. Further they use those sim cards which are obtained by them by the help of false documentation by impersonating others, hence it is presumed that they have intentionally committed identity theft by representing them as a authenticating user of the said accounts. I placed my reliance on the decision of the Hon'ble Court in case of Ritu Kohli vs. Manish Kathuria where the Hon'ble Court has observed that *“creating a fake profile or using someone else credential to send message constitutes a criminal act of misusing identity U/s. 66(C) of I.T Act”*.

In the present case in hand, the accused persons have committed the said cyber fraud by sharing OTPs to the different foreign Nationals through the procurement of pre-activated sim cards which deemed to be an identity theft of others. Further due to the prior meeting of minds of all the accused persons before the commission of the said cyber frauds and creating of mule accounts, they are equally liable for each and every offence which they have done either directly or indirectly in furtherance of their common intention. Further from the conduct of the accused persons and by considering the list of exhibits marked on behalf of the prosecution and from the evidence on record, it is proved that the accused persons were used the identity of others without the lawful authorization of the actual owner. Further the prosecution has successfully proved the common intention of the accused persons behind the said crime by the help of prosecution evidences and the exhibits marked on behalf of the prosecution, hence the accused persons are being the member of the said organized crime are equally liable as it done by himself. Further during the argument the ld. counsel for the accused persons argued that the sharing of OTPs are not considered as a password, hence the alleged offence are not coming under the essential ingredients of Sec. 66(C) of IT Act. In this regard, this

Court is of opinion that the OTPs is considered a type of password and it serves the same basic function as a password by authenticating the user identity. Hence, the fraudulent use of OTPs by sharing the same to the others is one of the essential ingredients U/s. 66(C) of I.T Act, hence the accused persons are liable U/s. 66(C) of I.T Act. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case against the accused persons U/s. 66(C) of I.T Act beyond all reasonable doubts.

27. In order to bring the guilty of the accused persons U/s. 66(D) of I.T Act, the prosecution must have to prove that the accused persons in furtherance of their common intention committed cheating by personation by using their fake facebook group to the subscribers of different social media platforms. On perusal of the entire evidence from the side of the prosecution, it is found that the P.W.1, P.W.2, P.W.7 and P.W.11 have deposed in their evidence that the accused persons namely Pathanisamanta Lenka, Saroj Kumar Nayak, Soumyaranjan Pattnaik, Pradyumna Kumar Sahoo and Pritam Kar being the members of one facebook group namely 'free recharge box' cheated the subscribers of different social media platform by impersonating them by pretending to be someone they are not. Further the

other co-accused namely Abhijeet Sanjay Jambure and Md. Ikbal Hussain are also equal liable for the offence U/s. 66(D) of I.T Act as previously the prosecution has successfully proved their involvement with the other accused persons for doing cyber fraud and sharing OTPs and illegal procurement of pre-activated sim cards by the help of evidence of the prosecution witness. Further from the exhibits marked on behalf of the prosecution, it is well proved that the accused persons were representing themselves with someone else identity credentials by fabricating false and synthetic identity by creating a facebook group namely 'free recharge box' through which they share OTPs and other information to the foreign Nationals including Pakistan in order to get money from them. Further it is well proved from the evidence of the prosecution that the accused persons were used the social media platforms which is a digital mean to commit the said alleged crime. Further from the Ext. P-13/P.W.7, Ext. P-14/P.W.7, Ext. P-15/P.W.7, Ext. P-16/P.W.7 and Ext. P-17/P.W.7 along with the confessional statement of the accused persons namely Pathanisamanta Lenka vide Ext. P-47/P.W.11, Soumyaranjan Pattanaik vide Ext. P-49/P.W.11, Saroj Kumar Nayak vide Ext. P-51/P.W.11, Pritam Kar vide Ext. P-52/P.W.11 and Abhijit Sanjay Jambure vide

Ext. P-54/P.W.11 proved the involvement of the accused persons namely Abhijit Sanjay Jambure and Md. Ikbal Hussain in alleged crime. Further from the evidence of the prosecution witness, it is well proved that the accused persons have committed the said crime by using the social media platform with an aimed to deceive the subscribers of different social media platforms and induces them to send money to them for their wrongful gain. Further from the exhibits marked on behalf of the prosecution i.e. Ext.P-1 to Ext. P-56, it is found that the accused persons were dishonestly use the OTPs which were obtained by them by the use of pre-activated sim cards for wrongful gain. Further from the evidence of the prosecution witness specifically P.W.11 who is the I.O of this case, it is found that the accused persons had an evil intention to deceive the subscribers of different social media platforms and thereby cause wrongful gain by themselves by sharing the OTPs through the said pre-activated sim cards. Further from the evidence of the prosecution witnesses, it is well proved that the accused persons have shared the OTPs to the different persons by using the said pre-activated sim cards. Further from the conduct of the accused persons and by considering the list of exhibits marked on behalf of the prosecution and from the evidence on record, this Court is of opinion that the

accused persons are used the identity of others without the lawful authorization of the actual owner. I placed my reliance in the decision of the Hon'ble Court in case of Ikbal Rashid vs. State of Jharkhand where the Hon'ble Court has observed that *“if a person falsely act as someone else via electronic means to commit fraud, the offence U/s. 66(D) of I.T Act is made out”*. In the present case in hand the prosecution has well proved that the accused persons in furtherance of their common intention committed cyber fraud by using the mule accounts created through pre-activated sim cards by sharing OTPs to the subscribers of different social media platforms and obtained money from them and also shared the said money among them. Hence from the above discussion, it is crystal clear that the prosecution has successfully proved its case against the accused persons U/s. 66(D) of I.T Act beyond all reasonable doubts.

28. Keeping in view the above analysis and taking into consideration of the facts and circumstances of this case and evolution of evidence on record and the list of exhibits marked on behalf of the prosecution, this Court is of the humble opinion that the prosecution is able to prove its case against all the accused persons namely 1. Pathani Samanta Lenka, 2. Saroj Kumar Nayak, 3. Soumyaranjan Pattaniak, 4.

Pradyuma Kumar Sahoo, 5. Pritam Kar, 6. Abhijit Sanjay Jambure and 7. Md. Iqbal Hussain beyond all reasonable doubts for the offence punishable U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act. Therefore, this Court holds the above named accused persons are found guilty for commission of offence punishable U/s. 419/420/465/467/468/471/120(B)/34 of IPC r/w. Sec. 66(C)/66(D) of I.T Act and they are convicted thereon U/s. 248 (2) of Cr.P.C.

29. The learned defence counsels have prayed before the Court for extending the benefit of the benevolent provisions of the Probation of Offenders Act, 1958, if the accused persons were found guilty while addressing the argument. It was also submitted that the convicts are innocent persons and there is no apprehension on their part to be a threat to the society, if they were released under the Probation of Offenders Act, 1958. Refuting the submission of learned Defence Counsels, learned Special P.P has strenuously argued that these types of offences are rampant in the society and locality and the accused persons have linked with foreign nationals including Pakistan for doing the said illegal business by endangering the stability and security of our Nation and that if the accused persons are extended the benefits of the benevolent provisions

of the Probation of Offenders Act, 1958, it would encourage the similar wrong doers in the society to commit such types of offences. With such stands, it is put forth that the convicts should not be released under the Probation of Offenders Act.

30. Considering the allegations, role played by the convicts in the alleged crime and their criminal proclivity, the fact and circumstances of the Case, having regard to the nature of evidence adduced from the side of the prosecution and list of exhibits marked on behalf of the prosecution and taking into account the fact that these types of offences are rampant in the society and having focus to the manner of commission of offence and taking into account the effect of the said crime over the stability and security of our Nation, this Court is of the considered opinion that releasing the convicts on any of the benevolent provisions of the P.O Act would be a misplaced sympathy and it would communicate a bad message to the society and encouraged the like-minded people. For the reasons, the Court is of the considered opinion that this is not a fit case to extend the benefit under the benevolent provision of the P.O Act to the convicts.

Put up later for hearing on the question of sentence.

S.D.J.M., Bhubaneswar

Typed to my dictation and pronounced the part of the Judgment in the open Court on this 15th day of April, 2026.

S.D.J.M., Bhubaneswar

HEARING ON THE QUESTION OF SENTENCE

31. Heard the convicts, learned Counsels for the convicts and Learned Special P.P on the point of sentence.

32. The convicts did not prefer to adduce any evidence at the time of hearing on the question of sentence.

33. On perusal of the case record, it reveals that the convicts namely 1. Pathani Samanta Lenka, 2. Saroj Kumar Nayak, 3. Soumyaranjan Pattaniak, 4. Pradyuma Kumar Sahoo, 5. Pritam Kar, 6. Abhijit Sanjay Jambure and 7. Md. Ikbal Hussain are involved such type criminal activities which could harm the internal stability and security of our Nation. Further the prosecution has well proved that the convicts are used the social media platforms in order to commit the said crime only for their financial gain. Hence, this Court is of opinion that there is no chance of reformation on their part. Adverting to the duty of

the Court in the exercise of power while imposing sentence for an offence Apex court in *Sumer Singh vs Surajbhan* held that it is the duty of the Court to impose adequate sentence, for one of the purposes of imposition of requisite sentence is protection of the society and a legitimate response to the collective conscience. The paramount principle is that the punishment should be proportionate. Hence, the convicts namely 1. Pathani Samanta Lenka, 2. Saroj Kumar Nayak, 3. Soumyaranjan Pattaniak, 4. Pradyuma Kumar Sahoo, 5. Pritam Kar, 6. Abhijit Sanjay Jambure and 7. Md. Iqbal Hussain are sentenced to undergo Rigorous Imprisonment for two (02) years each and to pay fine Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 120 (B)/34 of IPC and Rigorous Imprisonment for two (02) years each for committing the offence punishable U/s. 419/34 of IPC and Rigorous Imprisonment for three (03) years each and to pay fine Rs. 10,000/- (rupees ten thousand) each for committing the offence punishable U/s. 420/34 of IPC and Rigorous Imprisonment for one (01) year each for committing the offence punishable U/s. 465/34 of IPC and Rigorous Imprisonment for two (02) years each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s.

467/34 of IPC and Rigorous Imprisonment for two (02) years each and to pay a fine of Rs. 2,000/- (rupees two thousand) each for committing the offence punishable U/s. 468/34 of IPC and Rigorous Imprisonment for one (01) year each for committing the offence punishable U/s. 471/34 of IPC and Rigorous Imprisonment for one (01) year each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 66(C) of I.T Act and Rigorous Imprisonment for one (01) year each and to pay a fine of Rs. 5,000/- (rupees five thousand) each for committing the offence punishable U/s. 66(D) of I.T Act and in default of payment of each fine amount, the convicts are to suffer further Rigorous Imprisonment for a period of two (02) months each for the default of each fine amount and all the sentences are run concurrently for each convicts.

34. Period of detention undergone by each convicts so far, is to be set off as per Sec. 428 of Cr.P.C.

35. The said seized articles i.e. whatsapp chats, facebook messenger chats, telegram chats, paytm account details, all the certificates U/s. 65(B) of Evidence Act, malchallan receipt vide CMR No. 128/2025(5) dtd. 06.05.2025, command certificate vide CC No. 1403348 dtd. 01.07.2023, all the written

requisitions, all the written replies, all the certificates U/s. 2A of Bankers Book Evidence Act, C.E reports, all the certified copies and all the disclosure statements are destroyed after expiry of appeal period in case of no appeal is preferred and in case of appeal is preferred, then it shall be dealt with as per the order of the Hon'ble Appellate Court.

36. The said seized articles except whatsapp chats, facebook messenger chats, telegram chats, paytm account details, all the certificates U/s. 65(B) of Evidence Act, malchallan receipt vide CMR No. 128/2025(5) dtd. 06.05.2025, command certificate vide CC No. 1403348 dtd. 01.07.2023, all the written requisitions, all the written replies, all the certificates U/s. 2A of Bankers Book Evidence Act, C.E reports, all the certified copies and all the disclosure statements are confiscated to Government after expiry of appeal period in case of no appeal is preferred and in case of appeal is preferred, then it shall be dealt with as per the order of the Hon'ble Appellate Court.

S.D.J.M., Bhubaneswar

This judgment is dictated to stenographer and corrected by me and pronounced in the open Court today i.e., on 15th day of April, 2026 and given under my hand and seal of this Court.

S.D.J.M., Bhubaneswar

FORM-C**LIST OF PROCSECUTION / DEFENCE / COURT WITNESSES****A. Prosecution Witnesses**

Rank	Name	Nature of Evidence (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
P.W.1	Dusmant Kumar Mohanty	Occurrence witness
P.W.2	Trupti Ranjan Dash	Informant
P.W.3	Sunita Pradhan	Official Seizure witness
P.W.4	Mukesh Kumar Sutar	Official seizure witness
P.W.5	Ajit Kumar Sethy	Official seizure witness
P.W.6	Santosh Kumar Tripathy	Official seizure witness
P.W.7	Manoj Kumar Sethi	Expert witness
P.W.8	Bijay Kumar Nath	Official seizure witness
P.W.9	Biswambar Parida	Independent witness
P.W.10	Debasis Parida	Independent witness
P.W.11	Sarita Beuria	I.O

B. Defence Witnesses, if any

Rank	Name	Nature of Evidence (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS,
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		OTHER WITNESS)
NIL		
C. Court Witnesses, if any		
Rank	Name	Nature of Evidence (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
NIL		
LIST OF PROCSECUTION / DEFENCE / COURT EXHIBITS		
A. Prosecution Exhibits		
Sl. No.	Exhibit Number	Description
1	Exhibit.P-1 / P.W.2	Seizure list (poco mobile, Vodafone, airtel, idea, jio sim cards, one memory card of 2 gb, debit card IDFC bank, cash Rs. 5400/-) accused Pathanisamanta Lenka,
2	Exhibit.P-1/1 / P.W.2	Signature of P.W.2 on Ext. P-1
3	Exhibit.P-1/2 / P.W.2	Signature of P.W.4 on Ext. P-1
4	Exhibit.P-1/3 / P.W.2	Signature of P.W.6 on Ext. P-1
5	Exhibit.P-1/4 / P.W.2	Signature of accused Pathani Samanta Lenka on Ext. P-1
6	Exhibit.P-1/5 / P.W.2	Signature of P.W.3 on Ext. P-1

7	Exhibit. P-2 / P.W.2	Seizure list (P. Lenka one vivo mobile phone)
8	Exhibit. P-2/1/P.W.2	Signature of P.W.2 on Ext.P-2
9	Exhibit. P-2/2/P.W.2	Signature of P.W.4 on Ext.P-2
10	Exhibit. P-2/3/P.W.2	Signature of P.W.6 on Ext.P-2
11	Exhibit. P-2/4/P.W.2	Signature of accused Pathani Samanta Lenka on Ext. P-2
12	Exhibit.P-3/ P.W.2	Seizure list (72 items) from the possession of accused Saroj Kumar Nayak including sim cards
13	Exhibit. P-3/1/P.W.2	Signature of P.W.2 on Ext.P-3
14	Exhibit. P-3/2/P.W.2	Signature of P.W.4 on Ext.P-3
15	Exhibit. P-3/3/P.W.2	Signature of P.W.6 on Ext.P-3
16	Exhibit. P-3/4/P.W.2	Signature of accused Saroj Kumar Nayak on Ext.P-3
17	Exhibit.P-4/ P.W.2	FIR
18	Exhibit.P-4/1/ P.W.2	Signature of P.W.2 on Ext. P-4
19	Exhibit.P-4/2/ P.W.11	Signature of P.W.11 on Ext. P-4
20	Exhibit.P-4/3/ P.W.11	Signature of SP, STF P.S on Ext. P-4
21	Exhibit.P-5/ P.W.4	Seizure list (four android phone, three keypad phones, one tablet, twelve simcards, 14-15 simcard covers,

		Aadhar card, Credit Cards and debit cards of different banks, two cheque books) accused Soumya Ranjan Pattanaik
22	Exhibit.P-5/1/ P.W.4	Signature of P.W.4 on Ext. P-5
23	Exhibit.P-5/2/ P.W.6	Signature of P.W.6 on Ext. P-5
24	Exhibit.P-5/3/ P.W.11	Signature of P.W.11 on Ext. P-5
25	Exhibit.P-6/ P.W.5	Seizure list (six different ATM cards, one mobile phone, one DL in his name, one id card, Pan card, Aadhar card) accused namely Abhijit Sanjay Jambure
26	Exhibit.P-6/1/ P.W.5	Signature of P.W.5 on Ext.P-6
27	Exhibit.P-6/2/ P.W.11	Signature of P.W.11 on Ext.P-6
28	Exhibit.P-7/ P.W.6	Seizure list Saroj Kumar Nayak
29	Exhibit.P-7/1/ P.W.6	Signature of P.W.6 on Ext. P-7
30	Exhibit.P-7/2/ P.W.11	Signature of P.W.11 on Ext. P-7
31	Exhibit.P-8/ P.W.7	Certificate issued in favour of accused Pathanisamanta Lenka U/s. 65 B of Evidence Act
32	Exhibit.P-8/1/ P.W.7	Signature of P.W.7 on Ext. P-8
33	Exhibit.P-9/ P.W.7	Certificate issued in favour of accused Saroj Kumar Nayak U/s. 65 B of

		Evidence Act
34	Exhibit.P-9/1/ P.W.7	Signature of P.W.7 on Ext. P-9
35	Exhibit.P-10/ P.W.7	Certificate issued in favour of accused Soumyaranjan Pattanaik U/s. 65 B of Evidence Act
36	Exhibit.P-10/1/ P.W.7	Signature of P.W.7 on Ext. P-10
37	Exhibit.P-11/ P.W.7	Certificate issued in favour of accused Pritam Kar U/s. 65 B of Evidence Act
38	Exhibit.P-11/1/ P.W.7	Signature of P.W.7 on Ext. P-11
39	Exhibit.P-12/ P.W.7	Certificate issued in favour of accused Abhijit Sanjay Jambure U/s. 65 B of Evidence Act
40	Exhibit.P-12/1/ P.W.7	Signature of P.W.7 on Ext. P-12
41	Exhibit.P-13/ P.W.7	243 sheets of Facebook messenger chats of accused Pathanisamanta Lenka
42	Exhibit.P-14/ P.W.7	38 sheets of whatsapp and telegram chats of accused Saroj Kumar Nayak
43	Exhibit.P-15/ P.W.7	315 sheets of whatsapp and telegram chats of accused Soumyaranjan Pattanaik
44	Exhibit.P-16/ P.W.7	243 sheets of whatsapp chats of two accounts of accused Pritam Kar

45	Exhibit.P-17/ P.W.7	322 sheets of whatsapp chats and paytm account details of accused Abhijit Sanjay Jambure
46	Exhibit.P-18/ P.W.8	Seizure list (vivo mobile phone) accused Pradyumna Kumar Sahoo
47	Exhibit.P-18/1/ P.W.8	Signature of P.W.8 on Ext. P-18
48	Exhibit.P-18/2/ P.W.11	Signature of P.W.11 on Ext. P-18
49	Exhibit.P-19/ P.W.8	Seizure list (one Redmi and one Poco mobile phones) accused Pritam Kar
50	Exhibit.P-19/1/ P.W.8	Signature of P.W.8 on Ext. P-19
51	Exhibit.P-19/2/ P.W.11	Signature of P.W.11 on Ext. P-19
52	Exhibit.P-20/ P.W.8	Seizure list (total 39 items including printers, mobile phones, sim cards etc) Pritam Kar
53	Exhibit.P-20/1/ P.W.8	Signature of P.W.8 on Ext. P-20
54	Exhibit.P-20/2/ P.W.11	Signature of P.W.11 on Ext. P-20
55	Exhibit.P-21/ P.W.11	Malchallan receipt vide CMR No. 128/2025(5) dtd. 06.05.2025
56	Exhibit.P-22/ P.W.11	Command certificate vide CC No. 1403348 dtd. 01.07.2023
57	Exhibit.P-23/ P.W.11	Requisition to ICICI Prudential Life vide Despatch No. 833/STF dtd. 12.06.2023

58	Exhibit.P-23/1/ P.W.11	Signature of P.W.11 on Ext. P-23
59	Exhibit.P-24/ P.W.11	Requisition to Branch Manager, SBI, Bari vide Despatch No. 829/STF dtd. 12.06.2023
60	Exhibit.P-24/1/ P.W.11	Signature of P.W.11 on Ext. P-24
61	Exhibit.P-25/ P.W.11	Reply of SBI (31 sheets)
62	Exhibit.P-25/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
63	Exhibit.P-26/ P.W.11	Requisition to ICICI, Mugupal Branch, Jajpur vide Despatch No. 827/STF dtd. 12.06.2023
64	Exhibit.P-26/1/ P.W.11	Signature of P.W.11 on Ext. P-26
65	Exhibit.P-27/ P.W.11	Reply of ICICI Bank (09 sheets)
66	Exhibit.P-27/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
67	Exhibit.P-28/ P.W.11	Requisition to Indian Bank, Baliapal Branch, Jajpur vide Despatch No. 828/STF dtd. 12.06.2023
68	Exhibit.P-28/1/ P.W.11	Signature of P.W.11 on Ext. P-28
69	Exhibit.P-29/ P.W.11	Reply of Indian Bank (02 sheets)
70	Exhibit.P-29/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
71	Exhibit.P-30/ P.W.11	Requisition to Bank of Baroda,

		Haripur branch, Jajpur, vide Despatch No. 830/STF dtd. 12.06.2023
72	Exhibit.P-30/1/ P.W.11	Signature of P.W.11 on Ext. P-30
73	Exhibit.P-31/ P.W.11	Reply of Bank of Baroda (10 sheets)
74	Exhibit.P-31/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
75	Exhibit.P-32/ P.W.11	Requisition to Axis Bank, Aurangabad branch, Jajpur, vide Despatch No. 832/STF dtd. 12.06.2023
76	Exhibit.P-32/1/ P.W.11	Signature of P.W.11 on Ext. P-32
77	Exhibit.P-33/ P.W.11	Reply of Axis Bank (77 sheets)
78	Exhibit.P-33/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
79	Exhibit.P-34/ P.W.11	Requisition to Branch Manager, Union bank of India, Jajpur vide Despatch No. 262/STF dtd. 15.05.2023
80	Exhibit.P-34/1/ P.W.11	Signature of P.W.11 on Ext. P-34
81	Exhibit.P-35/ P.W.11	Reply of Union Bank (02 sheets)
82	Exhibit.P-35/1/ P.W.11	Certificate U/s. 2A of Banker Book Evidence Act
83	Exhibit.P-36/ P.W.11	Requisition to SBI, Bari Branch, Jajpur vide Despatch No. 270/STF dtd. 15.05.2023

84	Exhibit.P-36/1/ P.W.11	Signature of P.W.11 on Ext. P-36
85	Exhibit.P-37/ P.W.11	Reply of ICICI bank (22 sheets)
86	Exhibit.P-37/1/ P.W.11	Certificate U/s. 2A of Bankers of Book Evidence Act
87	Exhibit.P-38/1/ P.W.11	Requisition to Branch Manager, ICICI Bank, Nayagarh Town Branch, Daspalla Branch and Bhubaneswar Regional Branch vide Despatch No. 247/STF dtd. 15.05.2023
88	Exhibit.P-38/1/ P.W.11	Signature of P.W.11 on Ext. P-38
89	Exhibit.P-39/ P.W.11	Reply of ICICI bank, Nayagarh Town (80 sheets)
90	Exhibit.P-39/1/ P.W.11	Certificate U/s. 2A of Bankers Book Evidence Act
91	Exhibit.P-40/ P.W.11	Requisition to HDFC bank, Nayagarh Town Branch vide Despatch No. 245/STF dtd. 15.05.2023
92	Exhibit.P-40/1/ P.W.11	Signature of P.W.11 on Ext. P-40
93	Exhibit.P-41/ P.W.11	Reply of HDFC Bank (38 sheets)
94	Exhibit.P-42/ P.W.11	Requisition to IDBI bank, Nayagarh Town/ Daspalla Branch vide Despatch No. 256/STF dtd. 15.05.2023
95	Exhibit.P-42/1/ P.W.11	Signature of P.W.11 on Ext. P-42

96	Exhibit.P-43/ P.W.11	Reply of ICICI Bank, Nayagarh Town (34 sheets)
97	Exhibit.P-44/ P.W.11	C.E Report received by STF
98	Exhibit.P-45/P.W.11	Requisition to SP, STF, West Bengal
99	Exhibit.P-46/ P.W.11	Certified copies of documents received from Siliguri P.S in connection with NJP PS Case No. 1327/2022 (10 sheets)
100	Exhibit.P-47/ P.W.11	Disclosure statement of accused Pathanisamanta Lenka
101	Exhibit.P-47/1/ P.W.11	Signature of P.W.11 on Ext. P-47
102	Exhibit.P-48/ P.W.11	Seizure list dtd. 23.05.2023
103	Exhibit.P-48/1/ P.W.11	Signature of P.W.11 on Ext. P-48
104	Exhibit.P-49/ P.W.11	Disclosure statement of accused Soumyaranjan Pattanaik
105	Exhibit.P-49/1/ P.W.11	Signature of P.W.11 on Ext. P-49
106	Exhibit.P-50/ P.W.11	Seizure list dtd. 23.05.2023
107	Exhibit.P-50/1/ P.W.11	Signature of P.W.11 on Ext. P-50
108	Exhibit.P-51/ P.W.11	Disclosure statement of accused Saroj Kumar Nayak
109	Exhibit.P-51/1/ P.W.11	Signature of P.W.11 on Ext. P-51
110	Exhibit.P-52/ P.W.11	Disclosure statement of accused

		Pritam Kar
111	Exhibit.P-52/1/ P.W.11	Signature of P.W.11 on Ext. P-52
112	Exhibit.P-53/ P.W.11	Seizure list dtd. 23.06.2023
113	Exhibit.P-53/1/ P.W.11	Signature of P.W.11 on Ext. P-53
114	Exhibit.P-54/ P.W.11	Disclosure statement of accused Abhijeet Sanjay Jambure
115	Exhibit.P-54/1/ P.W.11	Signature of P.W.11 on Ext. P-54
116	Exhibit.P-55/ P.W.11	Seizure list dtd. 08.07.2023
117	Exhibit.P-55/1/ P.W.11	Signature of P.W.11 on Ext. P-55
118	Exhibit.P-56/ P.W.11	Seizure list dtd. 20.09.2023
119	Exhibit.P-56/1/ P.W.11	Signature of P.W.11 on Ext. P-56
B. Defence Exhibits, if any		
Sl. No.	Exhibit Number	Description
NIL		
C. Court Exhibits, if any		
Sl. No.	Exhibit Number	Description
NIL		
D. Material objects:		
Sl. No.	Exhibit Number	Description
NIL		

S.D.J.M., Bhubaneswar