



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS,
GOVERNMENT OF INDIA
NEW DELHI**

**CHARGE SHEET
(U/s 173 Cr.P.C)**

**IN THE HON'BLE SPECIAL COURT CONSTITUTED UNDER
NIA ACT 2008**

FOR GUJARAT AT AHMEDABAD

1. **Name of the Branch** : National Investigation Agency, Mumbai
- FIR No** : RC-13/2015/NIA-DLI, dated 05/12/2015.
[Arising out of FIR No.164 of 2015 of
Bharuch City 'A' Division Police Station
dated 02/11/2015.]
- Year** : 2015
- Date & Time** : On 2nd November 2015 at about 18:45 hrs
one Shirish Bangali and Pragesh Mistry
were sitting in former's newspaper office,
Surya Printing Press, Bharuch when two
unidentified persons came on motorcycle
and pillion rider got down, entered the
office and fired two rounds from a
revolver like arm, out of which one bullet
hit Shirish Bengali just beneath his right
earlobe and another one was fired upon

Pragnesh Mistry injuring him. The assailants of crime later fled from the scene of crime. Both the victims succumbed to their injuries and died.

2. **Final Report/Charge Sheet No.** :
3. **Date** : 07.05.2016
4. **Sections of Law** : u/s 16, 17, 18, 20, 23 of the Unlawful Activities (Prevention) Act 1967, U/s 120-B, 302, 114, 153-A, 449, 201 of the Indian Penal Code 1860; Sections 25(1B)a, 27(1) of the Arms Act; and Section 135 of Gujarat Police Act
5. **Type of Final Report** : Charge-sheet
6. **If Final Report un-occurred-False/ Mistake of fact/ Mistake of law/ Non Cognizable / Civil Nature** : Not Applicable
7. **If charge sheeted: Original/ Supplementary** : Original
8. **Name of Investigating Officer** : i) [REDACTED], [REDACTED].
9. **Name of the Complainant/Informant** : [REDACTED]
[REDACTED]
[REDACTED]
10. **Details of properties/ Articles/ Documents recovered/ seized during Investigation and relied upon** : As per the list enclosed, in Annexures

11. (1) Particulars of accused person against whom present charge sheet is being filed

Name of accused	: Saiyed Imran @ Imran Bapu s/o Saiyed Mohamad Kadri (A-1)
Whether verified	Yes
Father's Name	Saiyed Mohamad Kadri
Year/Date of Birth	24/01/1979
Sex	Male
Nationality	Indian
Religion	Muslim
Occupation	Brokerage Commission on Land Deals and selling of used two wheelers and four wheelers
Address (Present)	[REDACTED]
Address (Permanent)	[REDACTED]
Date of Arrest	11/11/2015
Date of release on bail	In Judicial Custody.
Under Acts and Sections (of Chargesheet)	Sections 120-B, 302, 201, 114 & 153-A of the Indian Penal Code 1860; Sections 16, 17, 18 & 20 of the Unlawful Activities (Prevention) Act 1967
Names of sureties and address	N.A
Status of accused	In Judicial Custody.



(2) Particulars of accused person against whom present charge sheet is being filed

Name of accused : Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari. (A-2)

Whether verified Yes

Father's Name Jiyauddin Ansari

Year/Date of Birth 21/09/1992

Sex Male



Nationality Indian

Religion Muslim

Occupation Driver

Address (Present)

[REDACTED]
[REDACTED]

Address (Permanent)

[REDACTED]
[REDACTED]

Date of Arrest 11/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Sections 120-B, 302, 449 & 153-A of Indian Penal Code 1860, Section 25(1B)(a) & 27(1) of Arms Act, Sections 16, 17, 18, 20 & 23 of The Unlawful Activities (Prevention) Act, 1967, Section 135 of Gujarat Police Act, 1951.

Names of sureties and address N.A

Status of accused In Judicial Custody.

(3) Particulars of accused person against whom present charge sheet is being filed

Name of accused : Inayat @ Bala s/o Haziayub Patel. (A-3)

Whether verified Yes

Father's Name Haziayub Patel

Year/Date of Birth 06/12/1979

Sex Male



Nationality Indian

Religion Muslim

Occupation Gambling

Address (Present)

[REDACTED]
[REDACTED]

Address (Permanent)

[REDACTED]
[REDACTED]

Date of Arrest 11/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet)

Sections 120-B, 302 & 153-A of Indian Penal Code 1860, Sections 16, 17, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967.

Names of sureties and address N.A

Status of accused In Judicial Custody.

(4) Particulars of accused person against whom present charge sheet is being filed

Name of accused : **Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4)**

Whether verified Yes

Father's Name Mohmad Yusuf Shekh

Year/Date of Birth 17/09/1963

Sex Male

Nationality Indian

Religion Muslim

Occupation Gambling

Address (Present)

Address (Permanent)

Date of Arrest 11/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Sections 120-B, 302 & 153-A of Indian Penal Code 1860, Section 16, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967

Names of sureties and address N.A

Status of accused In Judicial Custody.



(5) Particulars of accused person against whom present charge sheet is being filed

Name of accused : Haider Ali @ Hyder Ali @ Talli s/o Mohd. Hanif Gulam Hussain Shaikh (A-5)

Whether verified Yes

Father's Name Mohd. Hanif Gulam Hussain Shaikh

Year/Date of Birth 03/05/1985

Sex Male

Nationality Indian

Religion Muslim

Occupation Auto Richshaw Driver

Address (Present)

Address (Permanent)

Date of Arrest 13/11/2015

Date of relase on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Section 120-B, 302, 114 & 153-A of Indian Penal Code 1860, Sections 25(1B)(a) & 27(1) of Arms Act, Sections 16, 17, 18, 20 & 23 of The Unlawful Activities (Prevention) Act, 1967, Section 135 of Gujarat Police Act, 1951.

Names of sureties and address N.A

Status of accused In Judicial Custody.



(6) Particulars of accused person against whom present charge sheet is being filed

Name of accused : Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6)

Whether verified Yes

Father's Name Maksudbhai Shekh

Year/Date of Birth 03/11/1984

Sex Male

Nationality Indian

Religion Muslim

Occupation Business (selling shoes)

Address (Present)



Address (Permanent)



Date of Arrest 13/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Sections 120-B, 302, 114 & 153-A of Indian Penal Code 1860, Sections 16, 17, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967.

Names of sureties and address N.A

Status of accused In Judicial Custody.



(7) Particulars of accused person against whom present charge sheet is being filed

Name of accused : **Mohsin Khan s/o Sharif Khan Pathan (A-7)**

Whether verified Yes

Father's Name Sharif Khan Pathan

Year/Date of Birth 20/04/1990

Sex Male

Nationality Indian

Religion Muslim

Occupation Auto Rickshaw Driver

Address (Present) [REDACTED]

Address (Permanent) [REDACTED]

Date of Arrest 13/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Sections 120-B, 302, 114 & 153-A of Indian Penal Code 1860, Sections 16, 17, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967.

Names of sureties and address N.A

Status of accused In Judicial Custody.



(8) Particulars of accused person against whom present charge sheet is being filed

Name of accused : **Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8)**

Whether verified Yes

Father's Name Mohmed Hushen Kalubhai Shaikh

Year/Date of Birth 24/09/1982

Sex Male

Nationality Indian

Religion Muslim

Occupation Auto Rickshaw driver

Address (Present)



Address (Permanent) As above.

Date of Arrest 17/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of Chargesheet) Sections 120-B, 302, 114 & 153-A of Indian Penal Code 1860, Sections 16, 17, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967.

Names of sureties and address N.A

Status of accused In Judicial Custody.



(9) Particulars of accused person against whom present charge sheet is being filed

Name of accused	: Abid Patel s/o Dawood Patel (A-10)
Whether verified	Yes
Father's Name	Dawood Patel
Year/Date of Birth	01/05/1974
Sex	Male
Nationality	United Kingdom
Religion	Muslim
Occupation	Liftman
Address (Present)	[REDACTED]
Address (Permanent)	[REDACTED]
Date of Arrest	04.12.2015
Date of release on bail	In Judicial Custody.
Under Acts and Sections (of Chargesheet)	Sections 120-B, 302 & 153-A of Indian Penal Code 1860, Section 16, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967.
Names of sureties and address	N.A
Status of accused	In Judicial Custody.



(10) Particulars of accused person against whom present charge sheet is being filed

Name of accused	:	Abdul Salim @ Salim Ghanchi s/o Abdul Sattar Sarvaiya (A-11)
Whether verified		Yes
Father's Name		Abdul Sattar Sarvaiya
Year/Date of Birth		02/04/1973
Sex		Male
Nationality		Indian
Religion		Muslim
Occupation		Garment business
Address (Present)		[REDACTED]
Address (Permanent)		[REDACTED]
Date of Arrest		04.12.2015
Date of relase on bail		In Judicial Custody.
Under Acts and Sections (of Chargesheet)		Sections 120-B, 302, & 153-A of Indian Penal Code 1860, Section 16, 18 & 20 of The Unlawful Activities (Prevention) Act, 1967
Names of sureties and address		N.A
Status of accused		In Judicial Custody.



12. (1) Particulars of accused person against whom present charge sheet is not being Filed

Name of accused : Abdul Samad s/o Gulam Mohyuddin
Gulam Hushen Shaikh (A-9)

Whether verified Yes

Father's Name Gulam Mohyuddin Gulam Hushen
Shaikh

Year/Date of Birth 28/08/1980

Sex Male

Nationality Indian

Religion Muslim

Occupation Land Broker

Address (Present)



Address (Permanent) As above.

Date of Arrest 17/11/2015

Date of release on bail In Judicial Custody.

Under Acts and Sections (of --

Chargesheet)

Names of sureties and address N.A

Status of accused In Judicial Custody.



Chargesheet is not filed against this accused at this stage and further investigation would continue against him u/s 173(8) of CrPC.

(2) Particulars of accused person against whom present charge sheet is not being Filed

Name of accused	:	Nasir Khan Pathan s/o Mohram Ali Pathan (A-12)
Whether verified		Yes
Father's Name		Mohram Ali Pathan
Year/Date of Birth		19/05/1980
Sex		Male
Nationality		Indian
Religion		Muslim
Occupation		Flex Printing business
Address (Present)		[REDACTED]
Address (Permanent)		[REDACTED]
Date of Arrest		15.12.2015
Date of release on bail		In Judicial Custody.
Under Acts and Sections (of Chargesheet)		--
Names of sureties and address		N.A
Status of accused		In Judicial Custody.



Chargesheet is not filed against this accused at this stage and further investigation would continue against him u/s 173(8) of CrPC.

(3) Particulars of accused person against whom present charge sheet is not being filed

Name of accused : **Javed Dawoodbhai Patel @ Javed Chikna**
(wanted accused) (WA-1)

Whether verified Yes

Father's Name Dawoodbhai Patel

Year/Date of Birth 20/06/1960

Sex Male

Nationality Indian

Religion Muslim

Occupation

[REDACTED]

Address (Present)

[REDACTED]

Address (Permanent)

As above.

Date of Arrest

N.A.

Date of release on bail

N.A.

Under Acts and Sections (of

Chargesheet)

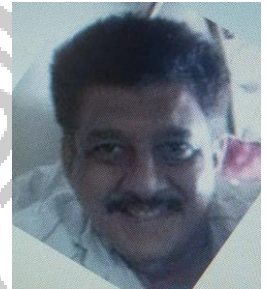
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Names of sureties and address

N.A.

Status of accused

N.A.



Chargesheet is not filed against this accused at this stage and further investigation would continue against him u/s 173(8) of CrPC.

(4) Particulars of accused person against whom present charge sheet is not being filed

Name of accused	:	Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (wanted accused) (WA-2)
Whether verified		Yes
Father's Name		Saeedmiya Munshi Saikh
Year/Date of Birth		24/01/1979
Sex		Male
Nationality		Indian
Religion		Muslim
Occupation		Tailor
Address (Present)		[REDACTED]
Address (Permanent)		[REDACTED]
Date of Arrest		N.A
Date of release on bail		N.A
Under Acts and Sections (of Chargesheet)		--
Names of sureties and address		N.A
Status of accused		N.A



Chargesheet is not filed against this accused at this stage and further investigation would continue against him u/s 173(8) of CrPC

13. (i) **Particulars of witnesses examined** : As per Annexure A (Vol- B & B1 (Protected))
- (ii) **List of Documents** : As per Annexure B (Vol. A1,A2, C1, C2,C3, C6, D1 & D2), C4 & C5(Truncated).
- (iii) **List of articles** : As per Annexure C

14. **If FIR is false, action taken** : Not applicable

15. **Result of laboratory analysis** : As per annexures A1,A2, Vol. D1 & D2 mentioned above.

16. **Brief Facts of the Case:**

i) On 2nd November 2015 at about 18:45 hrs one Shirish Bengali and Pragnesh Mistry were sitting in former's Newspaper office, Surya Printing Press, Bharuch. Two unidentified persons came on a motorcycle and pillion rider got down, entered the office and fired two rounds from a revolver like arm, out of which one bullet hit Shirish Bengali just beneath his right earlobe and another one hit Pragnesh Mistry in his stomach. The assailants later fled from the scene of crime. Both the victims succumbed to their injuries and died. Accordingly FIR No. 164/2015 was registered in Bharuch City A Division Police Station u/s 302, 114 of IPC and 25 (1) C of Arms Act and u/s 135 G.P. Act, was registered on 02.11.2015 at 20:30 hrs, on the complaint of [REDACTED] [REDACTED] [REDACTED]

ii) During investigation, it was revealed that, an international terror module had been conspiring to kill selected people belonging to a particular section of society to terrorise them and to foment communal passions. Sections 13, 17, 18 of Unlawful Activities Act were added later.

iii) In pursuance of the directions of Ministry of Home Affairs, Govt. of India, New Delhi vide order No. 11034/107/2015-IS-IV dated 5th December, 2015, National Investigation Agency took-up the investigation and renumbered the FIR as RC 13/2015/NIA/DLI on 05/12/2015 at Police Station NIA, New Delhi.

iv) During investigation on 28.12.2015, section 16 of Unlawful Activities (Prevention) Act, 1967 was added as the larger conspiracy to strike terror among particular section of people was revealed.

17. Facts Disclosed during investigation:

17.1 Investigation has revealed that during the period between July/ August, 2015 to September/October, 2015, a conspiracy was hatched amongst the arrested accused persons namely, Inayat Patel @ Bala s/o Hazaiyub Patel (A-3), Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4), Abid Dawood Patel s/o Dawood Patel (A-10) and wanted accused Javed Dawoodbhai Patel @ Javed Chikna (WA-1), Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (WA-2) as members of a terrorist gang. This conspiracy was hatched by using phone, through voice call, SMS, WhatsApp call and WhatsApp messages, to kill persons belonging to a particular section of society with the intention to terrorise them and to create communal unrest.

17.2 In pursuance of the said conspiracy, Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4) had identified four persons who were purported to be [REDACTED] and had sent the name of these persons i.e. 1) [REDACTED], 2) [REDACTED], 3) [REDACTED] and 4) [REDACTED], all residents of [REDACTED] to, Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (WA-2) (a resident of Bharuch but presently settled in [REDACTED]), through SMS in the month of September, 2015.

17.3 Investigation has revealed that Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (WA-2) also introduced Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4) with his friend, [REDACTED] and told Yunus to share the same information with his friend. Accordingly, Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4) sent SMS from his mobile to [REDACTED].

17.4 Investigation has also revealed that Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (WA-2) asked Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4) to carry out murder of any of the selected targets. Accordingly, Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4) contacted one of his friend and told him that, [REDACTED] had given a job to

@ Bala s/o Haziayub Patel (A-3) called Javed Dawoodbhai Patel @ Javed Chikna (WA-1) on his mobile number. However, thereafter this number was used by Inayat @ Bala s/o Haziayub Patel (A-3) and Abid Patel s/o Dawood Patel (A-10) for communication with Javed Dawoodbhai Patel @ Javed Chikna (WA-1) mainly on WhatsApp.

17.9 Investigation has revealed that Inayat @ Bala s/o Haziayub Patel (A-3) contacted Javed Dawoodbhai Patel @ Javed Chikna (WA-1) over WhatsApp from this new mobile number in October, 2015 seeking weapons for the execution of the task of eliminating the targets who had been identified during the conspiracy. Javed Dawoodbhai Patel @ Javed Chikna (WA-1) initially arranged for the delivery of the weapons at Mumbai and he directed Inayat @ Bala s/o Haziayub Patel (A-3) to collect the same at Mumbai. In pursuance of the above direction, Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Abid Patel s/o Dawood Patel (A-10) visited Mumbai to collect the weapons.

17.10 During investigation it was revealed that both Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Abid Patel s/o Dawood Patel (A-10) went to Mumbai on 16.10.2015 to collect the weapons.

17.11 Investigation has revealed that on 17.10.2015, Abdul Salim @ Salim Ganchi s/o Abdul Sattar Sarvaiya (A-11) joined Abid Patel s/o Dawood Patel (A-10) and Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) at Mumbai and all the three persons went to collect weapons.

17.12 Investigation has further revealed that Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Abid Patel s/o Dawood Patel (A-10) kept these weapons in a travel bag and Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) sent this bag on 17.10.2015 to Bharuch in parcel through SamniwalaTravels, Mumbai office, giving fictitious name as Sikander, Bharuch.

17.13 It is revealed during the investigation that Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2), Abid Patel s/o Dawood Patel (A-10), Abdul Salim @ Salim Ganchi s/o Abdul Sattar Sarvaiya (A-11) came to Bharuch same night i.e. on 17.10.2015. Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) went to [REDACTED] office at Bharuch on 18.10.2015 and collected the bag containing weapons.

17.14 In pursuance of the conspiracy, Inayat @ Bala s/o Haziayub Patel (A-3) had introduced his associates namely accused Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7), all resident of Surat into the act.

17.15 It was revealed during investigation that after the collection of the weapons Inayat @ Bala s/o Haziayub Patel (A-3) and Zuheb @ Juheb @ Zueb s/o Jiyauddin Ansari (A-2) tested the said weapons.

17.16 Investigation has revealed that Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1) was of the opinion that magazine of one of the pistols was loose and hence suspected to be defective. This fact was brought to the notice of Javed Dawoodbhai Patel @ Javed Chikna (WA-1) by Inayat @ Bala s/o Haziayub Patel (A-3) over WhatsApp.

17.17 Investigation has further revealed that Javed Dawoodbhai Patel @ Javed Chikna (WA-1) arranged for another set of weapons through one [REDACTED], allegedly a [REDACTED] national presently residing in [REDACTED].

17.18 Investigation has revealed that Inayat @ Bala s/o Haziayub Patel (A-3) alongwith Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1) went from Bharuch to Surat on 30th October, 2015 to collect the weapons. At Surat, they collected the said weapons from Nasir Khan Pathan s/o Mohram Ali Pathan (A-12) and Abdul Samad s/o Gulam Mohyuddin Gulam Hushen Shaikh (A-9) as per instructions of, Javed Dawoodbhai Patel @ Javed Chikna (WA-1) and suspect [REDACTED]. After collection of the weapons Inayat @ Bala s/o Haziayub Patel (A-3) and Abid Patel s/o Dawood Patel (A-10) returned to Bharuch.

17.19 It is revealed during investigation that arrested accused Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) were travelling to Bharuch from Surat to execute the killings, however, they could not get proper information about the movement of their first target Shirish Bengali.

17.20 Hence, in pursuance of the conspiracy, accused Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8), a rickshaw driver of Bharuch was given the task to keep a watch on the target i.e. Shirish Bengali and provide details of his movements, to accused Inayat @ Bala s/o Haziayub Patel (A-3) and Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2).

17.21 Investigation has revealed that Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8) gave a tip off to Inayat @ Bala s/o Haziayub Patel (A-3) and Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) on 31.10.2015 evening, however, the plan failed as it took time for Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Imran's associates, Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) to react and reach the spot. By the time they reached, Shirish Bengali had left his office. Meanwhile Abid Patel s/o Dawood Patel (A-10) and Inayat @ Bala s/o Haziayub Patel (A-3) went to Tankariya to create alibi. Thereafter, as decided by the accused Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) stayed in rented flat of Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) at [REDACTED] till the completion of the job assigned. They all stayed there and on 02.11.2015 went to Surat after the murder.

17.22 On 02.11.2015 afternoon Inayat @ Bala s/o Haziayub Patel (A-3) went to Delhi. Meanwhile Saiyed Imran @ Imran Bapu s/o Saiyed Mohamad Kadri (A-1) came from Surat to Bharuch in his white Swift car along with one friend. They met Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) at Jambusar Bypass and from there they went to Zuheb's rented flat where Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) were staying.

17.23 During investigation it was revealed that in pursuance of the conspiracy, on 02.11.2015, between 1800-1830 hrs, Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8) who was doing reconnaissance of Shirish Bengali's office, gave a tip off to Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Inayat @ Bala s/o Haziayub Patel (A-3) that Shirish Bangali had come to his office. Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and

Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5) went from Zuheb's rented flat on Black color Hero Splendor motorcycle brought by Haider.

17.24 Investigation has also revealed that prior to the incident both Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5) had bought masks from Bharuch to conceal their identity.

17.25 As a pre determined strategy, on 02.11.2015, Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5) was driving the motorcycle while Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) was sitting as pillion rider and both were carrying one weapon each. Both had worn mask over their faces to conceal their identity. Meanwhile Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) went in Imran's white Swift car and waited at Shaktinath Circle. This was support team for the two accused who went on motorcycle for the murder.

17.26 Investigation has revealed that, after reaching Shirish Bengali's office, Surya Printing Press at Sevashram road, Bharuch, Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) got down and entered the office and fired on Shirish Bengali. Since the first round was a misfire, he fired second bullet from close range. During the process another person i.e. Pragnesh Mistry who was sitting alongwith Shirish Bengali in his office was also fired at as he started shouting loudly. Thus Shirish Bengali and Pragnesh Mistry were gunned down by Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2).

17.27 After the murder, both the victims were carried to Sunshine Global Hospital, Bharuch where Shirish Bengali was declared dead and Pragnesh Mistry was given treatment for a while. He soon succumbed to his injuries and died. On the complaint of complainant FIR no 164/2015 u/s 302, 114 of IPC and section 25(1) C of Arms Act and Section 135 of Gujarat Police Act was registered accordingly.

17.28 Investigation has revealed that after carrying out the task, both the assailants fled on the motorcycle towards Shaktinath circle and from there to the Mumbai – Ahmedabad highway. As a predetermined strategy, Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Mohsin Khan s/o Sharif Khan Pathan (A-7) and Nissarbhai @ Baba s/o

Maksudbhai Shekh (A-6) followed the motorcycle borne assailants and met them after Narmada Bridge on highway towards Surat. Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5) sat in the Swift car while Mohsin Khan s/o Sharif Khan Pathan (A-7) and Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) took the motorcycle and went to Surat. In the car, both Haider and Zuheb removed their shirts, that they had worn on their T-Shirts and, masks and, gave to Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1).

17.29 Investigation has further revealed that Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) got down near [REDACTED]. While getting down Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1) exchanged the T-shirts worn by them. Later, Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1) threw the shirts and masks next to bridge near [REDACTED].

17.30 Investigation has revealed that, after the completion of the task of elimination of targets, Javed Dawoodbhai Patel @ Javed Chikna (WA-1) had sent money, Rupees Five Lacs (Rs. 5,00,000/-) via Dubai for his associates in India who had participated in the commission of the offence through Hawala Channel.

17.31 Further, it is revealed that one [REDACTED], a [REDACTED] national, presently residing in [REDACTED] instructed [REDACTED], an Indian presently residing in [REDACTED] to send Rs. 5 lakh to India. Suspect [REDACTED] passed on the instruction of Hawala of Rs. 5 lac to his agent located in Mumbai. On 05.11.2015 the Indian agent sent instructions to [REDACTED], [REDACTED] to deliver Rs 5 Lakhs to Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5). This amount was collected by Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5) and Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1) from [REDACTED].

17.32 Investigation has revealed that between 07.11.2015 to 09.11.2015 the accused Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Inayat @ Bala s/o Haziayub Patel (A-3), Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6) and Mohsin Khan s/o Sharif Khan Pathan (A-7) went to Ajmer and there the proceeds of the crime were distributed amongst them.

Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) and Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8) were also given their share.

17.33 It is revealed that the larger conspiracy to target a particular section of the society was in continuation and Zahidmiya @ Jao s/o Saeedmiya Munshi Saikh (WA-2) who was seeking names of [REDACTED]

[REDACTED], continued to contact in India to young people by offering handsome money to work for 'D' company and luring with foreign job.

17.34 Investigation has revealed that on 01.11.2015, Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8) had searched for [REDACTED], the next target out of the three selected, on Google, Facebook and YouTube. Therefore Shirish Bengali's murder was part of the larger conspiracy to target people from RSS, VHP, Bajrang Dal and BJP.

17.35 It was revealed during the investigation that on 11.11.2015 as soon as Saiyed Imran @ Imran Bapu s/o Saiyed Mohamad Kadri, Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari, Inayat @ Bala s/o Haziaiyub Patel and Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-1, A-2, A-3 and A-4) were apprehended, both Abid Patel s/o Dawood Patel (A-10) and Abdul Salim @ Salim Ghanchi s/o Abdul Sattar Sarvaiya (A-11) switched off their mobile phones and left Mumbai hurriedly to evade arrest. Prior to that in the morning of 11.11.2015, Abid Patel s/o Dawood Patel (A-10) had also booked air tickets to London via Bahrain on Gulf Airline for travel date of 12.11.2015.

17.36 It was further revealed that Abid Patel s/o Dawood Patel (A-10) and Abdul Salim @ Salim Ghanchi s/o Abdul Sattar Sarvaiya (A-11) went to Nepal. In Nepal they obtained two SIM cards in other person's names and contacted the foreign conspirator, Javed Dawoodbhai Patel @ Javed Chikna (WA-1). They also sought £500 from United Kingdom through Western Union. Abid Patel s/o Dawood Patel (A-10) and Abdul Salim @ Salim Ghanchi s/o Abdul Sattar Sarvaiya (A-11) were intercepted on Indo-Nepal border and were later arrested.

18. Charge :

That the arrested accused Inayat @ Bala s/o Haziaiyub Patel (A-3), Mohmad Yunus @ Manjro s/o Mohmad Yusuf Shekh (A-4), and Abid Patel s/o Dawood Patel (A-10) along with

foreign conspirators based in South Africa and Pakistan, formed a terrorist gang and entered into conspiracy over phone, through voice call, SMS, WhatsApp call and WhatsApp messages, to kill persons belonging to a particular section of society with the intention to terrorise them and to create communal unrest. In pursuance of the conspiracy three names were identified and Shirish Bengali was selected as the first target. Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2), Saiyed Imran @ Imran Babu s/o Saiyed Mohamad Kadri (A-1), Haider Ali @ Hyder Ali @ Talli s/o Mohd Hanif Gulam Hussain Shaikh (A-5), Nissarbhai @ Baba s/o Maksudbhai Shekh (A-6), Mohsin Khan s/o Sharif Khan Pathan (A-7), Mohmed Altaf s/o Mohmed Hushen Kalubhai Shaikh (A-8) and Abdul Salim @ Salim Ghanchi s/o Abdul Sattar Sarvaiya (A-11) joined the conspiracy and aided and abetted each other by agreeing to commit terrorist act to strike terror in the minds of a particular section of society. They obtained weapons arranged by foreign conspirators, made preparatory acts by doing practice fire, procured SIM in fake identities, shared instructions and target's photos using social media like WhatsApp and on 02.11.2015 Zuheb @ Juheb @ Zoeb s/o Jiyauddin Ansari (A-2) murdered Shirish Bengali and along with him Pragnesh mistry using fire arm provided by the foreign conspirators. Further, the arrested accused also sought and received Rs. 5 lac through Hawala from Dubai. Hence committed offences punishable u/s 16, 17, 18, 20, 23 of the Unlawful Activities (Prevention) Act 1967, U/s 120-B, 302, 114, 153-A, 449, 201 of the Indian Penal Code 1860; Sections 25(1B)a, 27(1) of the Arms Act; and Section 135 of Gujarat Police Act.

ii) The sanction for prosecution of the aforementioned arrested accused persons under Section 196 of Criminal Procedure Code, 1973 and Section 45(1) of Unlawful Activities (Prevention) Act, 1967 has been obtained and enclosed herein. The sanction u/s 39 of Arms Act, 1959 has also been obtained and enclosed herein.

iii) It is, therefore, prayed that in the light of the averments herein, documents and other materials filed with this police report u/s 173 Cr.P.C this Hon'ble court may kindly take cognizance of offences.

iv) That it is submitted that the investigation of the case is being continued and further evidence is also being collected against the accused persons.

v) Therefore, it is requested that NIA may be allowed to continue the investigation of the case as per the provisions of section 173 (8) of Cr.P.C.

19. **Despatched on** : 07.05.2016
20. **No. of enclosures** : Vol- B & B1(Protected), A1,A2, C1, C2,
C3, C6, D1 & D2, C4 & C5(Truncated)
21. **List of enclosures** : Annexure A, B & C

