



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVT. OF INDIA
BRANCH OFFICE, KOLKATA.**

**CHARGESHEET
(Under Section 173 Cr.P.C)**

IN THE COURT OF THE LEARNED SPECIAL JUDGE (NIA) KOLKATA.

State (NIA)

V/s

Md. Anarul Islam & Others

| | | |
|-----------|--|--|
| 1 | Name of the Branch | Case Re-registered at NIA PS, New Delhi. Investigated at NIA Branch office, Kolkata. |
| | FIR Number, year and date | Kaliachak P.S case No. 23/16 dated 18.01.2016 which is re-registered as NIA case no. RC-06/2016/NIA-DLI at NIA PS, New Delhi. |
| 2 | Final Report/Charge Sheet No | 07/2016 |
| 3 | Date | 15.07.2016 |
| 4 | Section (s) of Law | Sections 489B, 489C, 120B of IPC r/w Section 16 & 18 of U.A.(P) Act, 1967, Sections 14B of Foreigners Act and Section 3(3) of Passport (Entry into India) 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 Investigation Officer | ██████████ Dy.S.P, NIA. |
| 9 | Name of the Complainant /Informant : | ██████████ Sub-Inspector of Police, Kaliachak PS, Dist. Malda, West Bengal. |
| 10 | Details of Properties /Articles/ Documents seized /recovered during the investigation and relied upon | As per Annexure-II – List of documents & Annexure –III – List of Materials |

11. Particulars of accused persons charge sheeted:**A-1**

| | |
|--|--|
| Name | Md. Anarul Islam |
| Whether verified | Yes |
| Father's Name | Late Md Ab Samed @ Abdul Samad @ Shamed Ali @ Boga |
| Year/Date of Birth | 48 Years / D.O.B. 25.04.1968 (As per Passport) |
| Sex | Male |
| Nationality | Bangladeshi |
| Passport No | [REDACTED] |
| Place of issue | Dhaka, People's Republic of Bangladesh |
| Date of issue | 28.05.2014 (Valid upto 27.05.2019) |
| Religion | Islam |
| Occupation | Smuggling of FICNs |
| Address (Present) | Village Khorial, Post. Monakasha PS: Shibganj, District Chapainawabganj, Bangladesh |
| Address(Permanent) | As stated above. |
| Whether verified (Address) | Yes |
| Provisional Criminal No. | NA |
| Regular Criminal No. (if known) | NA |
| Date of Arrest | 18.01.2016. |
| Date of release on bail | NA. |
| Under Acts & Sections (of charge sheet) | Sections : 489B, 489C, 120B of IPC, Sections :16 & 18 Unlawful Activities (Prevention) Act,1967 as amended vide Act 3 of 2013, Sections : 14B of Foreigners Act, 1946 & Sections : 3(3) of Passport (Entry into India) Act, 1920. |
| Previous convictions with case reference | Case No. 343/2008 of Firozabad South PS, Dist. Firozabad, Uttar Pradesh, under Sections 489B & 489C of IPC. |
| Status of the accused | Presently in judicial custody. |

A-4

| | |
|--|---|
| Name | Ripon Sekh |
| Whether verified | Yes |
| Father's Name | Atabur @ Nurul Islam |
| Year/Date of Birth | 22 Years |
| Sex | Male |
| Nationality | Indian |
| Passport No | NA |
| Place of issue | NA |
| Date of issue | NA |
| Religion | Islam |
| Occupation | Smuggling of FICNs |
| Address (Present) | Village Bapchera, P.O. Sabdalpur, PS: Baishnabnagar, Dist. Malda, West Bengal |
| Address(Permanent) | As stated above. |
| Whether verified (Address) | Yes |
| Provisional Criminal No. | NA |
| Regular Criminal No. (if known) | NA |
| Date of Arrest | Not arrested. |
| Date of release on bail | NA. |
| Under Acts & Sections (of charge sheet) | Sections : 489B, 489C, 120B of IPC, Sections :16 & 18 UA (P) Act,1967 as amended vide Act 3 of 2013, |
| Previous convictions with case reference | N.A. |
| Status of the accused | Absconding |

12. Particulars of accused persons not charge sheeted. :

The under-mentioned accused persons, are not charge-sheeted at this stage as mentioned in the subsequent paras :-

A-2

| | |
|---------------------------------|---|
| Name | Mohammad Anarul Islam |
| Whether verified | Yes |
| Father's Name | Munjur Hossen |
| Year/Date of Birth | 44 Years / 17.02.1972 (As per passport) |
| Sex | Male |
| Nationality | Bangladeshi |
| Religion | Islam |
| Occupation | Farmer |
| Address (Present) | Vill. Issorpur, P.O.: Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh. |
| Address(Permanent) | As stated above. |
| Reasons for not charge-sheeting | Investigation is continuing. |

A-3

| | |
|---------------------------------|---|
| Name | Emdadul Haque |
| Whether verified | Yes |
| Father's Name | Tofazzul Hossain |
| Year/Date of Birth | 35 Years / 08.01.1981 (As per passport) |
| Sex | Male |
| Nationality | Bangladeshi |
| Religion | Islam |
| Occupation | Farmer |
| Address (Present) | Vill. Rokonpur, Post. Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh. |
| Address(Permanent) | As stated above. |
| Reasons for not charge-sheeting | Investigation is continuing. |

13. (i) **Particulars of witnesses examined** : As per Annexure-I enclosed
- (ii) **List/details of documents/Articles** : a) Annexure-II – List of documents
b) Annexure –III – List of Materials Objects

14. **If FIR is false, action taken** : NA

15. **Result of laboratory analysis**: The seized Counterfeit Indian Currency Notes were of High Quality Counterfeit Indian Currency Notes as opined by [REDACTED] [REDACTED] WB. (As mentioned in para 17.5).

16. **Brief facts of the case:**

- 16.1 The fact of the case in brief is that on 18.01.2016, huge quantity of Fake Indian Currency Notes (FICNs) having face value of Rs. 8,00,000/- (Rupees Eight Lakhs only), was seized in the limits of Kaliachak PS, Dist. Malda, West Bengal by a joint team of [REDACTED] personnel of Kaliachak PS, at Kaliachak Chowranghee Mor, Near Panch Tala Masjid and approach road of Kaliachak Hat, PS Kaliachak, headed by Sub-Inspector [REDACTED] [REDACTED] of Kaliachak PS, Dist. Malda from one accused person namely Md. Anarul Islam S/o Md. Abdul Samad @ Md Ab Samed R/o Khorial PO: Monakasha, PS: Shibganj Distt. Chapainwabganj, Bangladesh, on the basis of a specific information from BSF Field 'G' Team, Farakka, Dist. Malda. Accordingly, a complaint was lodged by [REDACTED] Sub-Inspector of Police at Kaliachak PS along with the seized FICNs and articles and the arrested accused person as the FICN was meant for circulation with the intent to damage the monetary stability of India.
- 16.2 Accordingly, Kaliachak PS registered the FIR No.23/2016 dated 18.01.2016 and the case was entrusted to [REDACTED] SI of Police, Kaliachak PS for further investigation. Thereafter, the control of the investigation was taken up by [REDACTED], West Bengal Police on 25.01.2016.
- 16.3 As per the instruction of the Ministry of Home Affairs, Government of India, order No. [REDACTED] dated 25.02.2016 the National

Investigation Agency, registered the instant case under sections 489B, 489C of IPC by re-registering the said FIR of Kaliachak PS Case No. 23/2016 dated 18.01.2016.

17. Facts Disclosed During further Investigation:

17.1 During the investigation it has been revealed that on 18.01.2016 around 1615 hrs, [REDACTED], Sub-Inspector of Kaliachak PS received instruction of IC, Kaliachak PS, to work out a specific information received from [REDACTED] of BSF Farakka, about the smuggling of huge quantity of Fake Indian Currency Notes (FICNs) from the Bangladesh by some persons at Kaliachak Chowringee Mor. Accordingly, an operation was launched by him with the help of a small joint team of BSF personnel of BSF & Kaliachak PS personnel at the Kaliachak Chowringhee Mor near Panchtala Masjid area.

During the operation, [REDACTED] along with team members apprehended one person namely Md. Anarul Islam @ Anarul (**herein after referred as A-1**) S/o Late Md. Abdul Samad @ Late AB Samed @ Boga @ Shamed Ali R/o Village Khorial, PO Monakasha, PS Shibganj, Dist : Chapainawabganj, Bangladesh along with FICNs having face value of Rs. 8,00,000 /-, along with Passport, two used mobile phones having Indian SIM Cards and Rs. 2000/- (Rupees two thousand only) in Indian currency. However, the person, namely Ripon Sekh (**A-4**), who delivered the said consignment of FICNs to the arrested accused person could escape from the clutches of the joint team. Immediately the person with the consignment of FICNs was arrested following necessary formalities.

17.2 During the investigation carried out by Kaliachak PS, the Investigating Officer, [REDACTED] SI of Police, Kaliachak PS, duly sent the seized FICNs [REDACTED], West Midnapore, for forensic examination of the seized FICNs on 20.01.2016.

- 17.3** Thereafter, considering the gravity of the offence, the investigation of said case No. 23/2016 of Kaliachak PS, was taken over by [REDACTED] West Bengal Police on 25.01.2016.
- 17.4** During the investigation carried out by [REDACTED], WBP, two nos. of persons namely, 1) Mohammad Anarul Islam (**herein after referred as A-2**) S/o Munjur Hossen, r/o Vill. Issorpur, Post. Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh and 2) Emdadul Haque (**hereinafter referred as A-3**) S/o Tofazzul Hossain, r/o Vill. Rokonpur, Post. Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh, were arrested on 17.02.2016 from Malda on the basis of secret information. [REDACTED] vide his order dated 18.02.2016 invoked Section 120B of IPC in the instant case.
- 17.5** The expert opinion from [REDACTED] confirmed that all the Counterfeit Indian Currency Notes, having face value of Rs. 8,00,000/, seized from **A-1**, were High Quality Counterfeit Indian Paper Currency Notes as per the provision of the Unlawful Activities (Prevention) Act, 1967 as amended vide Act 3 of 2013.
- 17.6** Considering the gravity of the offence, Ministry of Home Affairs, Govt. of India vide their letter bearing No. [REDACTED] dated 25.02.2016, *suo-moto* directed the National Investigation Agency to take up the investigation of the case. Accordingly National Investigation Agency took up the investigation by re-registering the case vide FIR No. RC-06/2016/NIA/DLI dated 03.03.2016.
- 17.7** Since the apprehended person was a foreign national who was apprehended from the bordering district of Malda near the International Border with Bangladesh and the quantity of the seized High Quality FICNs was very high, necessary steps were taken by the Investigating Officer, NIA for invoking the Unlawful Activities (Prevention) Act, 1967 in the instant case. Further the material objects seized from the possession of

accused Md. Anarul Islam (**A-1**), like mobile phones etc. had been sent to [REDACTED] Kolkata for forensic examination and expert opinion. The opinion of the expert is still awaited which will be submitted before this Hon'ble court as soon as the same is received.

17.8 Investigation further established the complicity of accused Md. Anarul Islam (**A-1**) S/o Late Md. Abdul Samad @ Md. Ab Samed @ Boga @ Shamed Ali, in this case. Sufficient oral and documentary evidences have been collected during the investigation, to the effect that the accused Md. Anarul Islam (**A-1**) was in the possession High Quality Counterfeit Indian Currency Notes having face value of Rs. 8,00,000/- on 18.01.2016 at Kaliachak Chowringhee Mor under the jurisdiction of Kaliachak PS which is a bordering district of West Bengal having international border with Bangladesh. The personnel of joint team of BSF and the State Police, have been examined during the investigation and their statements under section 161 of CrPC have been recorded who inter-alia confirmed that accused Md. Anarul Islam (**A-1**) was in the possession of seized FICNs when he was challenged by [REDACTED] SI of Police, Kaliachak PS at Chowringhee Mor near the approach road of Kaliachak Hat on 18.01.2016.

17.9 Further during the arrest of accused Md. Anarul Islam (**A-1**) S/o Late Md. Abdul Samad @ Md. Ab Samed @ Boga @ Shamed Ali, his passport bearing no. [REDACTED] in the name of Md. Anarul Islam S/o Ab Samed, r/o Khorial, Monakasha, Shibganj, Chapainawabganj, Bangladesh issued by People's Republic of Bangladesh, Rajshahi, was seized from his possession. During the investigation the records of the said passport was duly collected from the [REDACTED] Immigration Check-Post, [REDACTED]. Dakshin Dinajpur which confirmed that the said accused person had entered into India on 01.11.2015 on Tourist Visa on the strength of the said Passport. However, earlier the said accused person also entered India on 30.07.2015 and left India on 23.08.2015 through same [REDACTED] Immigration Check Post on Medical Visa on the strength of same passport i.e. passport No. [REDACTED]

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17.10 From the scrutiny of his passport No. ██████████, it was found that accused Md. Anarul Islam (**A-1**) was earlier issued another passport bearing No. ██████████. Therefore, further investigation was carried out to know whether he had earlier visited India on the strength of his previous passport i.e. ██████████ or otherwise. During the investigation it was further established that said Md. Anarul Islam (**A-1**), S/o Late Md Abdul Samad @ Late Md. Ab Samed @ Boga @ Shamed Ali, had earlier visited India during the year 2008 for three times on the strength of his previous passport No. ██████████ through ██████████ Immigration Check Post, Dist. Malda, on the following dates but left India only two times as mentioned below:-

| <u>Date of entry</u> | <u>Date of Exit</u> |
|----------------------|---------------------|
| 21.01.2008 | 16.02.2008 |
| 24.03.2008 | 12.04.2008 |
| 07.08.2008 | No Exit |

17.11 Investigation brought on record that accused Md. Anarul Islam (A-1) was, earlier, arrested by police of Firozabad South PS, in connection with Firozabad South PS Case No. 343/2008 dated 11.08.2008 u/s 489-B & 489-C of IPC. As per the FIR of the said Firozabad South PS Case No. 343/2008, the said accused Md. Anarul Islam(**A-1**), was arrested by the police, for possession of FICNs and trying to use the FICNs with genuine currency notes. The said accused Md. Anarul Islam(**A-1**), was duly charge-sheeted in that case and he was convicted in the said case of Firozabad PS case No. 343/2008 dtd 11.08.2008 for commission of offence u/s 489B and 489C of IPC vide order dated 20.10.2011 issued by ██████████, Firozabad, UP. The certified copies of the FIR, Charge-sheet and the Judgement dated 20.10.2011 were collected during the investigation from the competent authority. It has been clearly established that said accused Md. Anarul Islam (A-1) is a habitual offender in that he used to carry and use FICNs for which he was

earlier convicted which attracts the provision of Section 6(4)(a) Investigation of High Quality Counterfeit Indian Currency Rules, 2013 which proves that the instant commission of offence on the part of the accused person (**A-1**), was intended to damage the monetary stability of India.

17.12 Investigation further revealed that the consignment of FICNs having face value of Rs. 8,00,000/- was supplied to the accused Md. Anarul Islam (**A-1**) by one “Apal @ Apel Sekh”, s/o Habu Ali @ Khalik, r/o Parchouka, PO Monakasha, PS Shibganj, Dist. Chapainawabganj, Bangladesh. Investigation conclusively established that one ‘Ripon Sekh’ (hereinafter **referred to as A-4**) S/o Nurul Islam @ Atabur, resident of Bapchhera village under Baishnabnagar PS, Malda, who had collected the consignment of FICNs from Apal @ Apel Sekh of Bangladesh, had supplied/delivered the said seized consignment of FICNs to accused Md. Anarul Islam (A-1) on 18.01.2016. Sufficient oral evidences have been collected during the field investigation from the relevant persons which established that said Ripon Sekh (**A-4**), had supplied the seized consignment of FICNs to accused Md. Anarul Islam (**A-1**) on 18.01.2016 which was seized from the possession of (**A-1**), Said Ripon Sekh(**A-4**) could not be found at his address as he is absconding. He was issued notice [REDACTED] to attend the investigation of the case but did not appear.

17.13 As mentioned in the foregoing paras, two more persons namely 1) Mohammad Anarul Islam (**A-2**) (44 Yrs) S/o Munjur Hossen, r/o Vill. Issorpur, Post. Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh and 2) Emdadul Haque (**A-3**) (35 Yrs) S/o Tofazzul Hossain, r/o Vill. Rokonpur, Post. Akkelpur, PS: Gomastapur, Dist. Chapainawabganj, Bangladesh, were arrested on 17.02.2016 during the investigation of the case carried by [REDACTED], WBP. Investigation against both accused persons is being continued to establish their roles in the instant case.

17.14 Evidence on record has clearly established that accused Md. Anarul Islam (**A-1**) is a resident and national of Bangladesh who entered into India with valid Passport and Tourist Visa issued by the competent authority. On reaching India he had involved himself in the business of High Quality Counterfeit Indian Currency Notes by violating the provisions of Foreigners Act, 1946 and Passport (Entry to India) Act, 1920. Further he has conspired with accused Ripon Sekh (**A-4**), resident of village: Bapchera, Post: Sabdalpur, PS: Baishnabnagar, Dist. Malda, WB, to procure the consignment of FICNs having face value of Rs. 8,00,000/- from Apal @ Apel Sekh, s/o Habu Ali @ Khalik, r/o Parchouka, PO Monakasha, PS Shibganj, Dist. Chapainawabganj, Bangladesh, for the purpose of circulation in India, which is a terrorist act. He was apprehended while possessing the said consignment of High Quality Counterfeit Indian Currency Notes which was meant for circulation to various parts of India with a view to damage the monetary stability of India. Thus he has committed the offences of commission of terrorist act and conspiracy thereof.

17.15 Investigation further established that accused Md. Anarul Islam (**A-1**), is a habitual offender in the commission of possession and circulation of Counterfeit Indian Currency Notes, in that he was earlier arrested by Firozabad South PS while carrying Counterfeit Indian Currency Notes and attempting to use the same with genuine currency notes, in which he was duly charge-sheeted and convicted by [REDACTED] Firozabad under section 489B and 489C of IPC in connection with Firozabad South PS Case No. 343/2008.

Thus accused Anarul Islam (**A-1**) is liable for the commission of offence under Sections 489B, 489C & 120B of IPC read with Section 16 and 18 of Unlawful Activities (Prevention) Act, 1967 as amended vide Act 3 of 2013 read with Section 14B of The Foreigners Act and Section 3(3) of The Passport (Entry into India) Act, 1920.

17.16 The evidence on record has clearly established that the accused 'Ripon Sekh' (**A-4**) conspired with accused Anarul Islam (**A-1**) in that he supplied the consignment of FICNs to his associate (**A-1**) for further distribution across the country for the purpose of causing the damage to the monetary stability of India for which **Ripon Sekh (A-4)** is liable for the commission of offence under Sections 120B, 489B, 489C of IPC read with Sections 16 & 18 of Unlawful Activities (Prevention) Act as amended vide Act 3 of 2013.

17.17 Further investigation is to be continued under Section 173(8) CrPC against the accused persons and other accomplices in crime for collection of prosecutable evidences for establishing their roles in the instant case.

18. CHARGE

That the aforementioned facts and circumstances establish that the following accused persons have committed the offences under sections of laws as mentioned against each of them :-

| Srl No. | Name of the accused persons | Section of Laws |
|---------|--|---|
| 01. | Md. Anarul Islam @ Anarul (A-1) S/o Late Md. Abdul Samad @ Late AB Samed @ Boga @ Shamed Ali R/o Village Khorial, PO Monakasha, PS Shibganj, Dist : Chapainawabganj, Bangladesh | Sections 120B, 489B & 489C of IPC, Sections 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013), Section 14B of The Foreigners Act, 1946 & Section 3(3) of The Passport (Entry into India) Act, 1920 |
| 02. | Ripon Sekh (A-4), S/o Nurul Islam @ Atabur R/o Bapchera, P.O. Sabdalpur, PS: Baishnabnagar, Dist. Malda, WB | Sections 120B, 489-B and 489-C of IPC read with Sections 16 & 18 of Unlawful Activities (Prevention) Act, 1967 (As |

| | | |
|--|--|----------------------------------|
| | | amended by Act 3 of 2013) |
|--|--|----------------------------------|

- 19.** The sanction for prosecution for the appropriate accused persons under provision of Section 45(1) of Unlawful Activities (Prevention) Act, 1967 is under process with the competent authority and will be submitted before this Hon'ble Court on its receipt.
- 20.** That it is further submitted that in the light of the averments made vide para 17.17, NIA may please be allowed to continue the investigation of the case as per the provision of Section 173(8) of Cr.P.C.
- 21.** It is, therefore, prayed that in the light of the averments herein, documents and other materials filed with this police report under section 173 Cr.P.C., this Hon'ble Court may kindly take the cognizance of the offences, committed by the accused persons and issue necessary processes of Law to the accused persons.

Dispatched on : 15.07.2016
No. of enclosures : As per Annexure I, II & III

List of enclosures :
Annexure-“I” : ([REDACTED])
Annexure-“II” : ([REDACTED])
Annexure-“III” : ([REDACTED])

Name: [REDACTED]
Dy. Superintendent of Police
National Investigation Agency.
National Investigation Agency,
Kolkata.

Forwarded by:

[REDACTED]
Superintendent of Police,
National Investigation Agency,
Kolkata.