



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

**SUPPLEMENTARY CHARGE SHEET -III  
(Under Section 173 Cr.P.C.)**

**IN THE COURT OF LD. SPECIAL JUDGE NIA KOLKATA  
STATE (NIA)  
VS**

**GULSONA BIBI @ RAJIA BIBI AND OTHERS**

1	<i>Name of the Investigation Agency</i>	<b>National Investigation Agency (NIA)</b>
	<i>FIR No. &amp; date</i>	NIA case no. RC-03/2014/NIA/DLI dated 10-10-2014 (Burdwan PS case no 1314/2014 dated 02-10-2014)
2	<i>Final Report/ Charge Sheet No.</i>	<b>3(C)/2015</b>
3	<i>Date</i>	<b>21 /05/2016</b>
4	<i>Sections of Laws</i>	Please refer to Para-18 of this charge-sheet
5	<i>Type of Final Report</i>	<b>Charge Sheet</b>
6	<i>If Final Report Un-occurred/false/Mistake of fact / Mistake of law/ Non-Cog/ Civil Nature</i>	Not Applicable
7	<i>If Charge-sheeted : Original / Supplementary</i>	<b>Supplementary Charge Sheet</b>
8	<i>Name of Investigation Officer</i>	████████████████████ Superintendent of Police, NIA, Kolkata
9	<i>Name of the complainant / informant</i>	████████████████████ ████████████████████
10	<i>Details of Properties/ Articles/ Documents recovered/ seized during the investigation and relied upon</i>	As per Annexure "A", "B", "C", "D" & "E"

**11. Particulars of person charge-sheeted:**

<b>A-38</b>		
Name		<b>Habibul Hoque</b>
Whether verified		Yes
Father's Name		Shamser Ali
Year/Date of Birth		10.05.1984
Sex		Male
Nationality		Indian
Passport No.		NA
Place of issue		NA
Date of issue		NA
Religion		Islam
Occupation		Tailor & Worked as Imam at Ankipur and Nayabastiya Mosque
Address (Present)		Village – Ankipur, PS – Basirhat, District – North 24 Paragnas, West Bengal
Address (Permanent)		Village – Ankipur, PS – Basirhat, District – North 24 Paragnas, West Bengal
Whether verified		Yes
Provisional Criminal No. (if known)		NA
Regular Criminal No. (if known)		NA
Date of Arrest		15.03.2016
Date of release on bail		NA
Under Acts & Sections		NA
Name (s) of Bailer / sureties and Address		NA
Previous convictions with case reference		NA
Status of the accused		In Judicial Custody.

<b>A-39</b>	
Name	<b>Enamul Molla</b>
Whether verified	Yes
Father's Name	Sahajhan Molla
Year/ Date of Birth	13.01.1990
Sex	Male
Nationality	Indian
Passport No.	NA
Place of issue	NA
Date of issue	NA
Religion	Islam
Occupation	Readymade Garment maker, shop at A.B.M. Hat, Metiabruz.
Address (Present)	Village Malkhati, Uttarpara, P.S. Rabindranagar, District - South 24 Paragnas, West Bengal
Address (Permanent)	Village Malkhati, Uttarpara, P.S. Rabindranagar, District - South 24 Paragnas, West Bengal
Whether verified	Yes
Provisional Criminal No. (if known)	NA
Regular Criminal No. (if known)	NA
Date of Arrest	15.03.2016
Date of release on bail	NA
Under Acts & Sections	NA
Name (s) of Bailer / sureties and Address	NA
Previous convictions with case reference	NA
Status of the accused	In Judicial Custody.

**12. Particulars of persons not charge-sheeted:**

<b>A-29</b>		
<i>Name</i>		<b>Rafique @ Rafiqul Islam</b>
<i>Whether verified</i>		NA
<i>Father's Name</i>		NA
<i>Year/Date of Birth</i>		NA
<i>Sex</i>		Male
<i>Nationality</i>		Bangladeshi
<i>Passport No.</i>		NA
<i>Place of issue</i>		NA
<i>Date of issue</i>		NA
<i>Religion</i>		Islam
<i>Occupation</i>		Worked in his father-in-law's Sweet shop. Member of JMB.
<i>Address (Present)</i>		Resided at Bakshipur, Domkal, Murshidabad and also at his in-laws house located at village Kamurdiyar, PS- Domkal
<i>Address (Permanent)</i>		NA (Bangladesh)
<i>Whether verified</i>		NA
<i>Provisional Criminal No. (if known)</i>		NA
<i>Regular Criminal No.(if known)</i>		NA
<i>Date of Arrest</i>		NA
<i>Date of release on bail</i>		NA
<i>Under Acts &amp; Sections</i>		NA
<i>Name (s) of Bailer / sureties and Address</i>		NA
<i>Previous convictions with case reference</i>		NA
<i>Status of the accused</i>		Absconding. Non-bailable Warrant of Arrest and Proclamation u/s 82 CrPC is issued against him.

<b>A-34</b>		
<i>Name</i>		<b>Jahidul Islam @ Jahidul</b>
<i>Whether verified</i>		NA
<i>Father's Name</i>		NA
<i>Year/Date of Birth</i>		NA
<i>Sex</i>		Male
<i>Nationality</i>		Bangladeshi
<i>Passport No.</i>		NA
<i>Place of issue</i>		NA
<i>Date of issue</i>		NA
<i>Religion</i>		Islam
<i>Occupation</i>		Selling of Jihadi related books in different parts of India. Member of JMB
<i>Address (Present)</i>		Village: Noli, Bhaktadoba, PS: Sarthebari, District Barpeta, Assam
<i>Address (Permanent)</i>		NA (Bangladesh)
<i>Whether verified</i>		Yes
<i>Provisional Criminal No. (if known)</i>		NA
<i>Regular Criminal No. (if known)</i>		NA
<i>Date of Arrest</i>		NA
<i>Date of release on bail</i>		NA
<i>Under Acts &amp; Sections</i>		NA
<i>Name (s) of Bailer / sureties and Address</i>		NA
<i>Previous convictions with case reference</i>		NA
<i>Status of the accused</i>		Absconding. Non-bailable Warrant of Arrest and Proclamation u/s 82 CrPC is issued against him.

<b>A-35</b>		
<i>Name</i>		<b>Sahidul Islam</b>
<i>Whether verified</i>		Yes
<i>Father's Name</i>		Jaharuddin
<i>Year/ Date of Birth</i>		NA
<i>Sex</i>		Male
<i>Nationality</i>		Indian
<i>Passport No.</i>		NA
<i>Place of issue</i>		NA
<i>Date of issue</i>		NA
<i>Religion</i>		Islam
<i>Occupation</i>		Member of Jamaat Ul Mujahiddin, Bangladesh.
<i>Address (Present)</i>		Village: Romaripathar, PS: Tarabari, District Barpeta, Assam.
<i>Address (Permanent)</i>		As above.
<i>Whether verified</i>		Yes
<i>Provisional Criminal No. (if known)</i>		NA
<i>Regular Criminal No. (if known)</i>		NA
<i>Date of Arrest</i>		NA
<i>Date of release on bail</i>		NA
<i>Under Acts &amp; Sections</i>		NA
<i>Name (s) of Bailer / sureties and Address</i>		NA
<i>Previous convictions with case reference</i>		NA
<i>Status of the accused</i>		Absconding. Non-bailable Warrant of Arrest and Proclamation u/s 82 CrPC is issued against him.

<b>A-36</b>		
<i>Name</i>		<b>Salahuddin @ Salehin @ Hafizur Rehman Seikh @ Mahin</b>
<i>Whether verified</i>		NA
<i>Father's Name</i>		NA
<i>Year/Date of Birth</i>		NA
<i>Sex</i>		Male
<i>Nationality</i>		Bangladeshi
<i>Passport No.</i>		NA
<i>Place of issue</i>		NA
<i>Date of issue</i>		NA
<i>Religion</i>		Islam
<i>Occupation</i>		Senior member of Jamaat Ul Mujahideen Bangladesh
<i>Address (Present)</i>		Resided at village: Nimra, Kirnahr, PS: Nanur, District Birbhum, West Bengal.
<i>Address (Permanent)</i>		NA (Bangladesh)
<i>Whether verified</i>		NA
<i>Provisional Criminal No. (if known)</i>		NA
<i>Regular Criminal No.(if known)</i>		NA
<i>Date of Arrest</i>		NA
<i>Date of release on bail</i>		NA
<i>Under Acts &amp; Sections</i>		NA
<i>Name (s) of Bailer / sureties and Address</i>		NA
<i>Previous convictions with case reference</i>		NA
<i>Status of the accused</i>		Absconding. Non-bailable Warrant of Arrest and Proclamation u/s 82 CrPC is issued against him.

**(13) List of Witnesses and Documents Enclosed :**

(i)	Particulars of witnesses to be examined	As per list enclosed as <b>Annexure – “A”</b>
(ii)	List of documents	As per list enclosed as <b>Annexure – “B”</b>
(iii)	List of Material objects	As per list enclosed as <b>Annexure – “C”</b>

**(14)**

If FIR is false, indicate action taken or proposed to be taken u/s 182/211 of IPC	NOT APPLICABLE
---	----------------

**(15)**

Result of Laboratory analysis and expert opinion reports	The results of the expert opinions are enclosed as <b>Annexure “D”</b>
--	--

**16. Background of registration of case by the West Bengal Police and transfer of investigation to the National Investigation Agency.**

**16.1** On 2nd October, 2014, at about 1215-1230 hrs, a bomb explosion took place on the 1st floor of a building located in the busy Khagragarh locality of Burdwan town. The 1st floor house had been rented out to one Sakil Ahmad @ Sakil Gazi by the owner of the building, [REDACTED], who lives in the opposite building. Police and Firemen entered the house after breaking open the lock which was put on the grill. Inside the house Sakil Gazi was found dead whereas 02 injured persons were evacuated for treatment to the nearby hospital, of whom 01 person Kerim Sk. (A-2) @ Swopan Mondal succumbed to the injuries. Additionally, 02 women namely Rajiya Bibi (A-3) wife of deceased Sakil Ahmad and Alima Bibi (A-4) wife of Abdul Hakim (injured) were found along with 01 infant child each inside the house. During the search of the house, components and explosives used in preparation of bombs / grenades, components used in preparation of ammunition, machinery



used in cutting and shaping iron pipes were recovered. Huge quantity of picric acid (high explosive) along with other incriminating material were also recovered. Subsequently, during further search of the crime scene, 55 numbers of hand grenade shaped Improvised Explosive Devices (IEDs) were recovered. During the initial investigation of the case, it was revealed that all the inmates of the house were active members of Jamaat-ul-Mujahideen Bangladesh (hereinafter referred to as JMB), a proscribed terrorist organisation of Bangladesh, which was found to be involved in recruitment, radicalisation and training in arms and explosives to vulnerable Muslim youths, in India for committing violent terror acts in furtherance of the objectives of JMB to establish Sharia rule in Bangladesh and in three districts of India to begin with.

**16.2** On completion of investigation regarding role of 21 accused persons involved in the conspiracy, a charge sheet was filed against 13(thirteen) arrested accused viz. Gulsona Bibi (A-3), Alima Bibi (A-4), Abdul Hakim (A-6), Ziaul Hoque (A-7), Sajid (A-8), Amjad Ali Seikh (A-9), Md. Sahanur Alom (A-11), Shaikul Islam Khan (A-12), Md. Rejaul Karim (A-14), Habibur Rehman (A-15), Fajjul Hoque (A-16), Giasuddin Munshi (A-17), Mofajjul Ali (A-19) and 8(eight) absconding accused viz. Moulana Yusuf Sk (A-20), Burhan Sk (A-21), Abul Kalam (A-22), Talha Sk (A-23), Kausar (A-24), Habibur Rehman Sk (A-25), Nasirullah (A-28), Kadar Kazi (A-31) before NIA Special Court at Kolkata, on 30<sup>th</sup> March, 2015. Subsequently, the first Supplementary Charge Sheet was filed against 06 (six) accused persons viz. Motiur Rehaman Seikh (A-18), Jahirul Shaikh (A-26), Sadik @ Sumon (A-27), Mustafizur Rahaman (A-30), Lal Mohammad (A-32) and Ahab Momin (A-33) on 23<sup>rd</sup> July, 2015. Second supplementary charge sheet was filed against 01 (One) accused person viz. Nurul Hoque Mandal @ Naeem @ Babu (A-37) and additional charges were pressed against all other previously charge sheeted accused charging them under various sections of IPC, Arms Act, Explosive Substances act, Unlawful Activities Prevention Act and Foreigners Act. Further investigation was continued as per provisions of section 173(8) CrPC, regarding the involvement of other co-

conspirators in the conspiracy as well as to arrest the absconding accused.

**16.3** As mentioned in the 1st Charge sheet dated 30th March, 2015, first supplementary charge sheet dated 23<sup>rd</sup> July, 2015 and second supplementary charge sheet dated 14<sup>th</sup> December, 2015, investigation has established that the members of JMB had established a network of terrorist training camps at selected Madrasas and other hideouts in India where selected youth were indoctrinated into violent Jihadi ideology as well as trained for violent action through use of explosives/IEDs and firearms. This was undertaken with the larger objective of subverting a section of vulnerable Indian population, utilising their common religious and linguistic identity, in Indian states and districts bordering Bangladesh, to join the JMB and utilise them for the movement to overthrow the existing democratic Government in Bangladesh and establishment of a hard-line Sharia based Islamic state rule in Bangladesh.

**16.4** The role and involvement of accused persons of the case and the activities of JMB in India has already been discussed in detail in Charge sheet dated 30.03.2015, supplementary charge sheet dated 23.07.2015 and second supplementary charge sheet dated 14.12.2015.

**17 Details & facts disclosed during investigation: -**

**17.1** The case was initially investigated by Burdwan district police after registration of case on 2<sup>nd</sup> October, 2014 vide Cr No. 1134/2014. Thereafter, investigation of the case was taken over by West Bengal CID on 6<sup>th</sup> October, 2014 in view of the gravity of offence. Subsequently, investigation was handed over to NIA on 10<sup>th</sup> October, 2014, in compliance of the orders of MHA, Govt. of India and NIA re-registered the case as RC-03/2014/NIA/DLI at P.S. NIA New Delhi.

**17.2** A charge sheet and 02 supplementary charge sheets have been submitted so far before the NIA Special Court at Kolkata charging 28

accused persons for their association with terror activities of the JMB in different ways. Further investigation was continued as per provisions of section 173(8) CrPC, regarding the involvement of other co-conspirators in the conspiracy as well as to arrest the absconding accused.

**17.3** Investigation revealed that some of the absconding accused persons of Burdwan Blast case viz. Moulana Yusuf (A-20), Kausar (A-24), Kadar Kazi (A-31) and Jahirul Sk (A-26) are highly active in the districts of Howrah, South 24 Paraganas, North 24 Paraganas as well as on the outskirts of Kolkata. While making efforts for their arrest it was established that 02 individuals viz. Habibul Hoque (A-38) and Enamul Molla (A-39) are indulging in sheltering them as well as helping them to recruit new members in the organisation (JMB), arranging training camps, collecting funds for them and circulating motivational jihadi material to instigate vulnerable youth to carry out violent acts of terror in furtherance of their objectives.

**17.4** Habibul Hoque (A-38) and Enamul Molla (A-39) were arrested in on 15.03.2016 after investigation revealed their role in the conspiracy of JMB.

**17.5 Involvement of Habibul Hoque (A-38) : -**

17.5.1 During the investigation, role of A-38 emerged as one of the important members of JMB who is closely associated with absconding accused persons A-7, A-20, A-24, A-26, A-28, A-31 and A-32.

17.5.2 Investigation revealed that A-38 was involved in the recruitment for JMB. He also motivated many youth, radicalized them and made them members of JMB. He arranged two trainings for them at [REDACTED].

17.5.3 He sent newly recruited youth to a JMB training at [REDACTED] and [REDACTED] at Bataspur in which 20-25 participants were present. During the training, accused A-20, A-32, A-31, A-7 and A-28

were the main trainers where handling of 9mm pistol and basic information about AK-47 rifle was taught to trainees along with physical training and lectures on jihad.

17.5.4 He collected funds for organisation on regular intervals @ Rs. 500 for training purpose and Rs. 100 as donation for organisation.

17.5.5 He provided shelter to the main absconders A-31 and A-20 at Ankipur and Nayabastya respectively.

17.5.6 In view of the above, charges under section 120B and 125 of IPC read with Section 18, 18A, 18B, 19 and 20 of UA(P) Act, 1967 as amended in Act 35 of 2008 are established against him during investigation.

#### **17.6 Involvement of Enamul Molla (A-39) :-**

17.6.1 During investigation, role of A-39 emerged as one of the members of JMB who is closely associated with absconding accused persons A-20, A-24 and A-26.

17.6.2 Investigation revealed that A-39 was involved in the recruitment for JMB. He motivated many youth, radicalised them and made them members of JMB.

17.6.3 He organised meetings for JMB and took accused A-24 and A-26 for the said purpose to Majherpara, PO Radhadasi, PS Sankrail, District Howrah, where donations amounting to Rs. 20,000/- were collected by Kausar for the purpose of procurement of arms as stated by witnesses.

17.6.4 He circulated some jihadi books as well as some jihadi material through micro SD cards in connection with furtherance of the aim of JMB in India.

17.6.5 He harbored absconding accused person A-20 and used to meet him at regular intervals and also participated in a three day jihadi training at [REDACTED] along with other participants where the

main trainers were Yusuf @ Bakkar (A-20), Lal Mohammad @ Ibrahim (A-32) and Nurul Hoque Mondal @ Naeem (A-37).

17.6.6 In view of the above, charges under section 120B and 125 of IPC read with Section 18, 18A, 18B, 19 and 20 of UA(P) Act, 1967 as amended in Act 35 of 2008 are established against him during investigation.

### **17.7 Expert Opinion/Communication received :-**

**17.7.1** During further investigation, forensic reports/expert opinion of some records have been received and the same was analysed. The report received from [REDACTED] established that the pistol seized from the JMB hideout maintained by absconding accused persons Kausar @ Boma Mizan(A-24) and Habibur Rahman(A-25) is found similar with pistol seen in the JMB training video which was filmed at JMB hideout of Kujutipara, Birbhum being maintained by absconding accused Mustafizzur Rahman @ Tuhin(A-30).

**17.7.2** Report received from [REDACTED] [REDACTED] proves that the laptop used by accused Nurul Hoque Mondal @ Naeem (A-37) was procured from a student who was awarded the said laptop under [REDACTED] scheme.

**17.7.3** Data extracted by [REDACTED] from the mobile phone of Sadik @ Sumon establishes his association with other accused persons.

**17.7.4** Communication received from transport office of Murshidabad proves that the registration number of seized nano car is fake. This car was used by the most of the accused persons of the case at Simulia and Mukimnagar Madrasa.

**17.8** The investigation is continuing to gather evidence in respect of the offences committed by Rafique @ Rafiqul Islam (A-29), Jahidul @ Jahidul Islam (A-34), Sahidul Islam (A-35) and Salahuddin (A-36).

**18. CHARGE:**

**From the investigation conducted, sufficient evidence is present to charge the following accused persons for commission of offences noted against their names.**

<b>Sl. No.</b>	<b>Particulars of Accused persons</b>	<b>Offences for which prosecution is recommended.</b>
1.	<b>Habibul Hoque (A-38)</b> , Son of Shamsar Ali, resident of Village – Ankipur, PS – Basirhat, District – North 24 Paragnas, West Bengal	120B and 125 of IPC read with Section 18, 18A, 18B, 19 and 20 of UA(P) Act, 1967 as amended in Act 35 of 2008.
2.	<b>Enamul Molla (A-39)</b> , son of Sahajhan Molla resident of Village Malkhati, Uttarpara, P.S. Rabindranagar, District - South 24 Paragnas, West Bengal	120B and 125 of IPC read with Section 18, 18A, 18B, 19 and 20 of UA(P) Act, 1967 as amended in Act 35 of 2008.

**19.** Sanction for prosecution under Section 45(1) of Unlawful Activities (Prevention) Act, 1967 and Section 196 of CrPC have been obtained from the competent authorities and is enclosed.

**20.** It is therefore, prayed that this Hon'ble court may take the cognisance of the offences committed by the accused persons as mentioned in para 18 above and issue process to the said accused persons to stand trial in the court in accordance with law.

**21.** List of Enclosures: 05 (five) as noted below

[REDACTED]

**22.** Despatched on : **21 /05/2016**

Submitted

[Redacted]

Forwarded by

[Redacted],  
[Redacted]