



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

**2<sup>ND</sup> SUPPLEMENTARY CHARGESHEET  
(Under Section 173 Cr.P.C)**

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

**State (NIA) V/s Barkat @ Barkat Ali & Others**

<b>1</b>	<b>Name of the Branch</b>	PS - NIA New Delhi, (under the jurisdiction of Ld. Special Judge, NIA Kolkata)
	<b>FIR Number, year and date</b>	RC-06/2015/NIA-DLI dated 12.06.2015 arising out of Baishnabnagar P.S case No. 254/15 dt. 07.05.2015 registered u/s 489B, 489C, 120B of IPC.
<b>2</b>	<b>Final Report/Charge Sheet No</b>	08/2015(B)
<b>3</b>	<b>Date</b>	05.05.2017
<b>4</b>	<b>Section (s) of Law</b>	Sections 489B, 489C, 120B of IPC r/w Section 16 & 18 of U.A.(P) Act, 1967.
<b>5</b>	<b>Type of Final Report.</b>	2 <sup>nd</sup> Supplementary Charge sheet.
<b>6</b>	<b>If Final Report Un-occurred/ False/ Mistake of fact /Mistake of law / Non- Cognizable / Civil Nature</b>	Not Applicable.
<b>7</b>	<b>If Charge-sheeted: Original/Supplementary</b>	2 <sup>nd</sup> Supplementary Charge-Sheet
<b>8</b>	<b>Name of Investigation Officer</b>	████████████████████ ██████████.

<b>9</b>	<b>Name of the Complainant /Informant :</b>	██████████, ██████████ ██████████ ██████████
<b>10</b>	<b>Details of Properties /Articles/ Documents recovered/seized during the investigation and relied upon</b>	As per Annexure-II – List of documents & Annexure -III – List of Materials

**11. Particulars of accused persons charge sheeted :**

**A-3**

Name	<b>Rinku Sk @ Md. Mosiur @ Md. Islam</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Sirajul Biswas @ Sirajuddin Biswas</b>
Year/Date of Birth	<b>Age 27 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>
Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Chak Deonapur &amp; Daulatpur PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>Not arrested</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPC read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>

Previous convictions with case reference	-
Status of the accused	<b>Absconding</b>

**A-6**

Name	<b>Rahim Sk</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Muntaz Ali</b>
Year/Date of Birth	<b>Around 35 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>
Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Daulatpur, PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>Not arrested</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPC read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>
Previous convictions with case reference	-
Status of the accused	<b>Absconding</b>

**A-7**

Name	<b>Tahir Sk</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Emajuddin @ Imu</b>
Year/Date of Birth	<b>Age 32 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>
Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Daulatpur, PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>16.11.2016</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPS read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>
Previous convictions with case reference	<b>-</b>
Status of the accused	<b>Presently in judicial custody</b>

**A-8**

Name	<b>Montu Sk</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Wabed Ali @ Abed Ali</b>
Year/Date of Birth	<b>Age 32 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>
Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Daulatpur, PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>Not arrested</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPS read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>
Previous convictions with case reference	<b>-</b>
Status of the accused	<b>Absconding</b>

**A-9**

Name	<b>Biyol Sk</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Munjur Sk</b>

Year/Date of Birth	<b>Age 33 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>
Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Daulatpur, PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>16.11.2016</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPS read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>
Previous convictions with case reference	<b>-</b>
Status of the accused	<b>Presently in judicial custody.</b>

**A-10**

Name	<b>Rahaman Sk @ Abdul Rahaman</b>
Whether verified	<b>Yes</b>
Father's Name	<b>Hossain Ali @ Hosen Ali</b>
Year/Date of Birth	<b>Age 30 Years</b>
Sex	<b>Male</b>
Nationality	<b>Indian</b>
Passport No	<b>NA</b>
Place of issue	<b>NA</b>
Date of issue	<b>NA</b>
Religion	<b>Islam</b>

Occupation	<b>Smuggling of FICNs</b>
Address (Present)	<b>Village Daulatpur, PS: Baishnabnagar, Dist. Malda.</b>
Address( Permanent)	<b>As stated above.</b>
Whether verified (Address)	<b>Yes</b>
Provisional Criminal No.	<b>NA</b>
Regular Criminal No. (if known)	<b>NA</b>
Date of Arrest	<b>Not arrested</b>
Date of release on bail	<b>NA.</b>
Under Acts & Sections (of charge sheet)	<b>Sections 120B &amp; 489B of IPS read with Sections 16, 18 &amp; 20 of UA(P) Act, 1967</b>
Previous convictions with case reference	-
Status of the accused	<b>Abconding</b>

**12.** Particulars of accused persons not charge sheeted at this stage : **NIL**

**13.** (i) Particulars of witnesses examined : As per [REDACTED] enclosed

(ii) List of documents/Articles / : a) List of documents- as per [REDACTED]  
documents/Articles b) List of Materials – [REDACTED]

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

**15.** Result of laboratory analysis : The mobile phone seized from the possession of accused Tahir Sk (A-7) was sent to CFSL, Kolkata for forensic examination. The expert opinion of CFSL, Kolkata is yet to be received which will be submitted before the Ld. Court immediately on receipt of the same.

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

**16.1** The fact of the case, in brief, is that on 06.05.2015 in between 1800 hrs to 2230 hrs, huge quantity of Fake Indian Currency Notes having face value of Rs. 64,65,000/-, was recovered near the Border Pillar No. 170 of Indo-Bangladesh International Border adjacent to the Indo-Bangladesh Border Fencing (Hereinafter referred as IBBF) at Daulatpur Village, in the limits of Baishnabnagar PS, Dist. Malda, West Bengal by a team of Border Security Force

(hereinafter referred as BSF) personnel of Border Outpost, Daulatpur, headed by [REDACTED], [REDACTED] BSF, 20 Bn, 17 Mile, Malda, WB. The FICNs were recovered from the possession of one Barkat @ Barkat Ali resident of Vill. Daulatpur, PO: Sabdalpur, PS: Baishnabnagar, Malda, on the basis of specific intelligence inputs. Accordingly, a complaint was lodged by [REDACTED], [REDACTED], BSF 20 Bn. in the Baishnabnagar PS on 07.05.2015 and seized Fake Indian Currency Notes and other articles were handed over to the Baishnabnagar PS along with the apprehended accused person.

**16.2** Accordingly, Baishnabnagar PS registered the FIR No. 254/15 dated 07.05.2015 by arresting the accused person Barkat @ Barkat Ali and also by re-seizing the recovered Fake Indian Currency Notes (FICNs) and other articles and initiated the investigation of the case.

**16.3** The National Investigation Agency took up the investigation of this case by re-registering the case as NIA case No. 06/2015/NIA-DLI dated 12.06.2015 u/s 489B/489C/120B of IPC arising out of Baishnabnagar P.S case No. 254/2015, as per the instruction of Ministry of Home Affairs, Govt. of India order No. 11011/32/2015-IS.IV dated 09.06.2015 and subsequently added Section 16 of Unlawful Activities (Prevention) Act, 1967 as per the provision of The Investigation of High Quality Counterfeit Indian Currency Offence Rules, 2013 following necessary formalities.

**16.4** On completion of the investigation, the main charge-sheet was filed against one accused person Barkat @ Barkat Ali (A-1) S/o Ifaz Sk @ Efaz Sk @ Efaza Sheik @ Afaj Sk, R/o Village: Daulatpur, PS: Baishnabnagar, Dist. Malda, vide Charge-sheet No. 08/2015 dated 30.10.2015 under relevant sections of laws for the offences committed by him, pending further investigation against other co-accused persons.

**16.5** During further investigation the accused persons namely, Md. Dalim Sk @ Dalim Sk (A-2), S/o Bablu Sk, r/o Vill. Chak Deonapur & Daulatpur, PS: Baishnabnagar, Dist. Malda, Islam @ Anikul Sk (A-4) S/o Hosen Ali @ Hossain Ali r/o Vill. Daulatpur, Gram Panchayat : Bakhrabad, PS: Baishnabnagar, Dist. Malda and Salim Shaik @ Solim Sk @ Solim Sekh @ Salim Sk (A-5) S/o Entaj Ali,



r/o Vill. Daulatpur, Gram Panchayat : Bakrabad, PS: Baishnabnagar, Dist. Malda, were arrested for their roles and complicity in the conspiracy for the procurement of high quality FICNs by smuggling through international borders between India and Bangladesh. Accordingly, they were Charge-sheeted vide 1<sup>st</sup> Supplementary Charge-sheet No. 08/2015(A) dated 23.05.2016 under various relevant sections of laws for the offences committed by them, pending further investigation against other accused persons.

**17. Facts Revealed During further Investigation:**

**17.1** During further investigation, the roles of Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk(A-7), Montu Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10), clearly emerged in connection with a conspiracy to bring huge quantity of FICNs in India via international border for the purpose of circulation in India. It was also confirmed that three accused persons namely Barkat @ Barkat Ali (A-1), Md. Dalim Sk (A-2) and Rinku Sk(A-3) were sitting in between international border fencing (IBBF) and International Border Pillar No. 170 i.e. Zero line near the Bamboo Grove with huge quantity Counterfeit Indian Currency Notes which was seized from the possession of accused Barkat @ Barkat Ali(A-1). The said FICNs were supplied by a few Bangladeshi smugglers.

**17.2** Efforts were made to apprehend other accused persons who were avoiding arrests and absconding. Notices were served to their addresses. Also, NBWs were issued by Hon'ble NIA Spl. Court, Kolkata against the said accused persons. Yet the absconding accused persons did not join the investigation.

**17.3** During investigation, it was further established that there was a conspiracy which was hatched among the group of accused persons for the purpose of the procurement of the seized High Quality Counterfeit Indian Currency Notes, from their Bangladeshi counterparts. On specific source information, the accused Dalim Sk (A-2) was arrested on 29.11.2015 from near the house of one Rajjak Sk at village Chak Deonapur, under PS Baishnabnagar, District Malda. It was further revealed that he was present with other co-accused persons near the international border near the bamboo bush when the

consignment of huge FICNs, was seized on 06.05.2015. For execution of conspiracy Dalim Sk (A-2) was continuously in contact with his other associates in the smuggling of FICNs through mobile phone.

**17.4** After persistent efforts, Islam @ Anikul Sk (A-4) and Salim Sk (A-5) were arrested on 18.02.2016 by NIA on the basis of specific source information. It was revealed during interrogation that the said FICNs seized in this case had been supplied by a few Bangladeshi nationals. The place of occurrence situated in between IBBF and Indo-Bangladesh International Border, also suggests that the consignment of FICNs, was coming from across the border. An amount of Rs. 2,49,000/- genuine Indian currency was also recovered from the possession of A-4 during arrest regarding which the accused A-4 could not give a plausible answer. The mobile number [REDACTED] used by A-4, was registered in the name of others. The said mobile phone was in constant touch with other accused persons Rahaman(A-10) and Rahim (A-6) on 04.05.15, 05.05.15, 06.05.15, with accused Tahir Sk (A-7) on 04.05.15 and 07.05.15 and with accused Biyol Sk (A-9) on 04.05.15. He was also a part of the meeting that took place on 04.05.2015 in the house of Rahim Sk (A-6) along with all other accused persons where they hatched the conspiracy to bring huge quantity of FICN from Bangladesh.

**17.5** With persistent efforts, accused Tahir Sk (A-7) was arrested by NIA from the NIA Camp Office area under district Malda on 11.11.2016. During the custodial examination he also described that he was personally present during the meeting, on 04.05.2015 and on 06.05.2015, held in his village along with all the other accused persons, in which it was decided how the large consignment of high quality FICNs would be smuggled from Bangladesh and how the same would be brought to India by crossing the Indo-Bangladesh International Border Security Fence. He had categorically disclosed about the hatching of conspiracy in the meeting which further corroborated the statements of witnesses. Further he had also pointed out the positions of all his associates including himself during the smuggling of the FICNs and the apprehension of accused Barkat @ Barkat Ali (A-1) on 06.05.2016, which was also corroborated with the statements of BSF personnel as well as other prosecution witnesses.

**17.6** While efforts were being made by the NIA to apprehend the other members of the gang of this high quality FICNs racketeers residing along the international border of West Bengal with Bangladesh, on the strength of NBWs issued by Ld. Spl. NIA Court, Calcutta, accused Biyol Sk (A-9) was apprehended by West Bengal Police in connection with another case of FICNs of Samsheganj PS, under district Murshidabad in connection with their case No. 404/2016 dated 14.10.2016, while possessing FICNs having face value of Rs. 7,96,000/, which was later on confirmed as high quality FICNs by the BRBNM(P) Ltd., Salboni. Accordingly, the said accused person Biyol Sk(A-9) was produced before the Ld. Spl NIA Court, Kolkata, on the strength of Production Warrant issued by the Ld. Court, on 16.11.2016 and further taken into police remand in the instant NIA Case. During his custodial examination he confirmed his association with the gang of FICNs racketeers which smuggled high quality FICNs having face value of Rs. 64,65,000/- on 06.05.2015 and further confirmed the role of his other associates in the procurement of FICN consignment through international border with Bangladesh which further corroborated the statements of witnesses and the confessional statement of A-5 before the Magistrate. He also confirmed that he was present during meeting held on 04.05.2015 and on 06.05.2015 in his village where all his associates were present and also pointed out the positions of his associates and his own position through Google plotting in the presence of independent witnesses followed by his disclosures. Thus the investigation clearly established that a meeting was organized by the accused persons on 04.05.2015 in the house of Rahim Sk (A-6) which was attended by all the accused A-1 to A-10. In the meeting they decided that huge quantity of FICNs will be brought to India from the Bangladesh to be supplied by Habil Sk, Kalu and Dalim of Chapainawabganj, Bangladesh which was duly corroborated as per the disclosures made by accused Tahir Sk (A-7) and Biyol Sk (A-9) on 22.11.2016 in the presence of independent witnesses and as per the statement of (A-5) before Ld. CJM Ranchi.

**17.7** Further investigation also established that another meeting was organized by the accused persons on 06.05.2015 in the periphery of the houses of Anikul Sk (A-4) and Biyol Sk (A-9) attended by all the accused A-1 to A-10. During the meeting accused Rahim Sk (A-6) instructed that accused A-1, A-2 & A-3 would

receive the consignment of FICNs from the Bangladeshi Nationals on the Indo-Bangladesh International Boundary (near Border Pillar No. 170) and bring the same close to the Border Security Fence inside Indian territory. Further the accused persons A-4, A-5, A-6, A-7, A-8, A-9 & A-10 would conceal themselves near the Border Security Fence (in India side) along the border road to receive the consignment of FICNs from A-1, 2 & 3. The fact was also corroborated by the disclosures made by accused Tahir Sk (A-7) and Biyol Sk (A-9) on 22.11.2016 in the presence of independent witnesses.

**17.8** According to the conspiracy hatched as narrated above, accused Barkat Ali (A-1), Dalim Sk (A-2) and Rinku Sk (A-3) received the high quality FICNs having face value Rs. 64,65,000/- from the Bangladeshi nationals on the Indo-Bangladesh International Boundary. They further bought the above FICNs to the bamboo grove (**Scene of Crime**) located at a distance of 135 meters from the Indo-Bangladesh International Boundary and Border Pillar No. 170 and made communications over mobile phone to another group of co-accused persons to come closer to the Border Security Fence along the border road. Accordingly, other members of the gang namely accused Anikul Sk (A-4), Solim Sk (A-5), Rahim Sk (A-6), Tahir Sk (A-7), Montu Sk (A-8), Biyol Sk (A-9) and Rahaman Sk (A-10) came closer to the Border Security Fence along the border road and hidden / concealed themselves with the intention to receive the high quality FICNs from Barkat Ali (A-1), Dalim Sk (A-2) and Rinku Sk (A-3) from across the Border Security Fence.

**17.9** Further, for the purpose of investigation and to collect prosecutable evidence regarding the absconding accused persons of Bangladesh who had supplied the seized FICNs, Mutual Legal Assistance Request (MLAT) was sent to the Central Authority, Ministry of Home Affairs, People's Republic of Bangladesh on behalf of Ministry of Home Affairs, Government of India through the High Commissioner, High Commission of India, at Dhaka, Bangladesh after observing due procedure for execution and report. The execution report will be submitted before the Ld. Court, on receipt of the same from the competent authority.

**17.10** During the further investigation, it has been established that the following phone numbers were used by the accused persons of the gang as mentioned against their names :-

Mob No. [REDACTED] used by accused and Barkat Ali(A-1)

Mob No. [REDACTED] used by accused Dalim Sk (A-2)

Mob No. [REDACTED] used by accused Rinku Sk (A-3).

Mob No. [REDACTED] used by accused Islam Anikul Sk (A-4)

Mob No. [REDACTED] used by accused Salim Shaik @ Solim Sk(A-5) and

Mob No. [REDACTED] used by accused Salim Shaik (A-5)

Mob No. [REDACTED] used by accused Rahim Sk (A-6).

Mob No. [REDACTED] used by accused Tahir Sk (A-7)

Mob No. [REDACTED] used by accused Biyol Sk (A-9) &

Mob No. [REDACTED] used by Rahaman Sk @ Abdul Rahaman(A-10)

The CDRs of above mobile phone numbers including the CDRs of mobile phone nos. [REDACTED] used by accused Tahir Sk (A-7), [REDACTED] used by accused Biyol Sk (A-9), and [REDACTED] used by accused and Barkat Ali(A-1), are having sufficient phone calls communications on 04.05.2015, 05.05.2015 and 06.05.2015 which proves that the accused persons were in touch with each other for hatching the conspiracy for trafficking the FICNs in India and to execute the same.

## **18. COMMISSION OF OFFENCES**

### **18.1 Offence committed by accused Rinku Sk (A-3) - (Absconding) :**

Accused Rinku Sk(A-3) along with Barkat Ali(A-1), Dalim Sk(A-2), Anikul Sk (A-4) to Rahaman Sk (A-10), participated in the secret meeting held on 4th May, 2016 and 6th May, 2016 in connection with the conspiracy of trafficking/smuggling of high quality FICNs in this case. Sufficient oral and documentary evidences have been collected during the further investigation to prove the fact.

The said accused person Rinku Sk (A-3), in pursuance to the well planned conspiracy, together with A-1 and A-2 had procured the high quality FICNs having face value Rs. 64,65,000/- from the Bangladeshi nationals on the Indo-Bangladesh International boundary and by bringing it to the Scene of Crime (near the IBBF) in the Indian territory located at an approximate distance of 135 meters from the Indo-Bangladesh Border Pillar No. 170, and thereby damaged the monetary stability and economic security of India. Accused Rinku Sk (A-3) used the SIM card subscribed in the name of other persons for making telephonic conversation for hatching the conspiracy by organizing and attending the meetings on 04.05.2015 and 06.05.2015 and materialized the conspiracy for trafficking of high quality FICNs from Bangladesh Nationals near Indo-Bangladesh International boundary. Therefore, accused Rinku Sk (A-6) has committed the offence of criminal conspiracy for the procurement / smuggling of the high quality FICNs from Bangladesh through the Indo-Bangladesh International Border and possessed the smuggled FICNs along with other associates A-1 and A-2 and attempted to circulate the same through his other associates A-4 to A-10. Hence accused Rinku Sk(A-3), is liable for prosecution under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967.

Accused Rinku Sk. (A-3) was issued with the notices during investigation to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Calcutta. Also the Proclamation order issued by Ld. NIA Special Court Calcutta has been duly executed. The accused is still **‘absconding’**.

### **18.2 Offence committed by accused Rahim Sk (A-6) - (Absconding) :**

Further investigation established that accused Rahim Sk (A-6) had convened a meeting on 4.5.2015 at his (A-6) residence which was attended by A-1 to A-10 including A-6 himself. In that meeting accused Rahim Sk (A-6) along with his associates had hatched the conspiracy for the smuggling of huge quantity of high quality fake Indian Currency Notes from his associates in Bangladesh with his associates in India. In furtherance to that meeting accused

Rahim Sk (A-6) had also organized and attended another meeting on 06.05.2015 in the periphery of the houses of Anikul Sk (A-4) and Biyol Sk (A-9) in which the details for the trafficking of high quality FICNs from Bangladesh to India and for further circulation in other parts of India, were meticulously chalked out at his instance. The said meeting was also attended by A-1 to A-10 including Rahim Sk (A-6) himself and accordingly the commission of crime on the date of incident was executed by all the said accused persons. Therefore accused Rahim Sk(A-6), together with his associates accused persons Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Islam Anikul Sk (A-4), Solim Sk(A-5),) Tahir Sk(A-7), Montu Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10) by organizing and attending the meeting on 04.05.2015 in his house and by organizing and attending the another meeting on 06.05.2015 had hatched the conspiracy for the smuggling of the high quality fake Indian currency notes having face value of Rs. 64,65,000/- through the Indo-Bangladesh International Border and was directly involved in the process of collection of the smuggled high quality FICNs by hiding/concealing himself with his associates near the Indo-Bangladesh Border Security Fence along the border road as well as he was in the process of receiving the seized 64,65,000/- high quality FICNs from Rinku Sk. (A-3), Barkat Ali (A-1) and Dalim Sk(A-2) those who were also hiding/ concealing themselves with the seized FICNs in the bamboo bush (SoC) located near and across the Border Security Fence, measuring approximate 135 meters from the Indo-Bangladesh Border Pillar No. 170. Sufficient oral, documentary, including CDRs and confessional statement of A-5 and other materials evidences including the discovery and pointing out dated 22.11.16 and 23.11.16 respectively of A-7 and A-9 in the presence of independent witnesses, collected during the further investigation will prove the commission of offences as stated above. Moreover, it has also been revealed during further investigation that accused Rahim Sk(A-6) was also involved in Samsheganj PS F.I.R. No. 139 dated 29.05.2011 towards seizure of FICNs having face value Rs. 1,00,000/- which was seized from the possession of Rahim Sk (A-6) and his arrest at Samsheganj PS (Murshidabad, WB) and its Charge Sheet No. 213 dated 25.08.2011 and Supplementary Charge Sheet No. 227 dated 05.09.2011 under section 489B and 489C of I.P.C. against Rahim Sk. (A-6) proves that he is a habitual racketeer of FICNs.

Therefore, accused Rahim Sk (A-6) being the active member of the gang, and being a habitual offender in possessing FICNs, together with A-1, A-2, A-3, A-4, A-5, A-7, A-8, A-9, and A-10, by organizing, attending and hatching the conspiracy, had smuggled the high quality FICNs having face value Rs. 64,65,000/- through his associates A-1, A-2 & A-3 at Indo-Bangladesh International Border, and by hiding / concealing himself near the Indo-Bangladesh Border Security Fence along the border road in the process of receiving the smuggled high quality FICNs which was intercepted and seized in connection with this case on 06.05.2015, has committed the offences under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967 for which is he is liable for prosecution.

Accused Rahim Sk (A-6) was issued with the notices during investigation to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Calcutta. Also the Proclamation order issued by Ld. NIA Special Court Calcutta has been duly executed. The accused is still **‘absconding’**.

### **18.3 Offence committed by accused Tahir Sk. (A-7) – (under judicial custody):**

During the investigation accused Tahir Sk. (A-7) was issued notices to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Kolkata and by executing the NBW of arrest he was arrested by NIA on 11.11.2016. The accused is presently in Judicial Custody.

Investigation further revealed that accused Tahir Sk. (A-7) together with Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Montu Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10) by organizing and attending the meeting on 04.05.2015 in the house of Rahim Sk (A-6) and by organizing and attending the another meeting on 06.05.2015 in the periphery of the houses of Islam @ Anikul Sk (A-4) and Biyol Sk (A-9) had



hatched the *conspiracy* for trafficking of high quality FICNs from Bangladesh to India and for further circulation in other parts of India. The CDR analysis of phone number [REDACTED] reveals that Tahir Sk (A-7) was continuously in contact with Mob. No. [REDACTED] used by Rahaman Sk (A-10), [REDACTED] used by Barkat Ali(A-1), Mob No. [REDACTED] used by Rinku Sk(A-3), Mob. No. [REDACTED] used by Biyol Sk (A-9), Mob No [REDACTED] used by Islam @ Anikul(A-4) , and Mob. No. [REDACTED] used by Rahim Sk (A-6).

Sufficient oral evidences have been collected during investigation which established that the members of the gang of high quality FICNs racketeers near the Indo-Bangladesh International Border, namely, Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk(A-7), Montu Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10), were known to each other and on the date of incident had assembled in the proximity of Indo-Bangladesh Border Security Fencing (IBBF) at the Daulatpur village for trafficking of FICNs seized in connection with this case. The discovery and pointing out dated 22.11.16 and 23.11.16 respectively, of A-7 and A-9, in the presence of independent witnesses, revealed about the location i.e. scene of crime and the whereabouts of A-7 and his associates at the time of commission of offence on 6th May, 2015. The fact is further corroborated from the confessional statement of A-5 and other witnesses. The revelation through pointing out further established that accused Tahir Sk (A-7) was hiding/ concealing near the Indo-Bangladesh Border Security Fence along the border road as well as he was in the process of receiving the seized 64,65,000/- high quality FICNs from Rinku Sk. (A-3), Barkat Ali (A-1) and Dalim Sk. (A-2) who were also hiding / concealed themselves with the seized FICNs under the bamboo bush (SoC) located near and across the Border Security Fence, measuring approximately 135 meters from the Indo-Bangladesh Border Pillar No. 170.

Therefore the accused Tahir Sk (A-7) being the member of the gang, together with A-1, A-2, A-3, A-4, A-5, A-6, A-8, A-9, and A-10, by organizing, attending and hatching the conspiracy in the meetings on 04.05.2015, 05.05.2015 and 06.05.2015 had attempted to collect the high quality FICNs having face value Rs. 64,65,000/- from A-1, A-2 & A-3 those who were hiding/ concealed themselves in the bamboo bush (SoC) in Indian Territory near the

International boundary, thereby committed the offences under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967 and liable to be prosecuted.

#### **18.4 Offence committed by accused Montu Sk. (A-8) – (Absconding):**

Investigation revealed that accused Montu Sk(A-8) together with Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5),) Rahim Sk(A-6), Tahir Sk(A-7), Biyol Sk(A-9) and Rahaman Sk(A-10), by organizing and attending the meeting on 04.05.2015 in the house of Rahim Sk (A-6) and by organizing and attending the another meeting on 06.05.2015 in the periphery of the houses of Anikul Sk (A-4) and Biyol Sk (A-9) had hatched the *conspiracy* for trafficking of high quality FICNs from Bangladesh to India and for further circulation in other parts of India. Sufficient oral evidences including the confessional statement of A-5 and statement of other witnesses clearly established that all the members of the gang of high quality FICNs involved in the instant case, namely, Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Islam @ Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk(A-7), Montu Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10), are known to each other and on the date of incident, had assembled in the proximity of IBBF at the Daulatpur village for trafficking of FICN's seized in connection with this case.

Further the discovery and pointing out dated 22.11.16 and 23.11.16 respectively at the instances of accused persons A-7 and A-9, revealed the locations of each members of the gang near the Bamboo grove i.e. scene of crime and their whereabouts of A-1 to A-10 on 6th May, 2015 at the time of commission of offence. The facts were further corroborated from the confessional statement of A-5 and other witnesses. Statements of witnesses present in the area during the incident on 06.05.2015, also established that accused Montu Sk (A-8), being a member of the gang, together with Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk. (A-6), Tahir Sk(A-8), Biyol Sk(A-9) and Rahaman Sk(A-10), was hiding / concealed himself near the Indo-Bangladesh Border Security Fence along the border road with a view to collect the seized high quality FICNs having face value of Rs. 64,65,000/-, from Rinku Sk. (A-3), Barkat Ali (A-1) and Dalim Sk. (A-2), who were hiding / concealed themselves with the seized FICNs under the bamboo grove (SoC) after collecting the same from their

Bangladeshi associates, across the Border Security Fence, which is around 135 meters from the Indo-Bangladesh Border Pillar No. 170.

Therefore the accused Montu Sk (A-8) being the member of the gang, together with A-1, A-2, A-3, A-4, A-5, A-6, A-8, A-9, and A-10, by organizing, attending and hatching the conspiracy in the meetings on 04.05.2015 and 06.05.2015 had attempted to collect the high quality FICNs having face value Rs. 64,65,000/- from A-1, A-2 & A-3 those who were hiding/ concealed themselves in the bamboo bush (SoC) in Indian Territory near the International boundary, thereby committed the offences under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967 and liable to be prosecuted.

Accused Montu Sk (A-8) was issued with the notices during investigation to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Calcutta. Also the Proclamation order issued by Ld. NIA Special Court Calcutta has been duly executed. The accused is still **'absconding'**.

#### **18.5 Offence committed by accused Biyol Sk. (A-9) – (under judicial custody):**

During investigation accused Biyol Sk. (A-9) was issued with the notices to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Kolkata. In the meantime he was arrested by Samsheganj PS, Dist. Murshidabad, West Bengal in connection with Samsheganj PS Case No. 404 dated 14.10.2016 under section 489B and 489C of I.P.C. for possession of FICNs having face value Rs. 7,96,000/- which was seized by the police. Thereafter, the said accused person Biyol Sk (A-9) was produced before the Ld. Spl NIA Court, Kolkata on the strength of Production Warrant issued by the Ld. Court, on 16.11.2016 and further taken into police remand in the instant NIA Case. During his custodial examination he confirmed his association with the gang of FICNs racketeers which smuggled high quality FICNs having face value of Rs. 64,65,000/- on

06.05.2015 and further confirmed the role of his other associates in the procurement through smuggling of consignment of high quality FICNs through international border with Bangladesh.

Investigation revealed that accused Biyol Sk (A-9) together with Barkat Ali (A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk. (A-7), Montu Sk(A-8) and Rahaman Sk(A-10), organized and attended the meetings on 04.05.2015 in the house of Rahim Sk (A-6) and another meeting on 06.05.2015 in the periphery of the houses of Anikul Sk (A-4) and his house. During the meeting he was personally involved in hatching the conspiracy for trafficking of high quality FICNs from Bangladesh to India and for further circulation in other parts of India. Sufficient oral evidence including the confessional statement of A-5 and other witnesses clearly established that accused Biyol Sk (A-9) was directly involved in the trafficking of FICN vis-à-vis circulation of the same from across the Bangladesh border to India. Sufficient documentary evidence including the CDR of the mobile No. [REDACTED] used by accused Biyol Sk further established that he had sufficient calls with the mobile nos. [REDACTED] used by accused Tahir Sk(A-7), [REDACTED] used by accused Rahim Sk (A-6), [REDACTED] used by accused Islam @ Anikul Sk (A-4) and [REDACTED] & [REDACTED] used by accused Salim Shaik @ Salim Sk (A-5) during the relevant period as well as on 04.05.2015 and 06.05.2015.

Further investigation also revealed that the accused Biyol Sk(A-9) was well known to his other associates namely Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk(A-7), Montu Sk(A-8) and Rahaman Sk(A-10), and on the date of incident had assembled in the proximity of IBBF at the Daulatpur village for trafficking of FICNs seized in connection with this case. Further the discovery and pointing out dated 22.11.16 and 23.11.16 respectively of A-7 and accused Biyol Sk(A-9), revealed the location / position i.e. scene of crime and the whereabouts of his associates A-1 to A-10, including himself, at the time of commission of offence on 6th May,2015. The fact further corroborated the confessional statement of A-5, statements of other witnesses.

Investigation further established that accused Biyol Sk. (A-9) together with A-4, A-5, A-6, A-8, A-7 and A-10, was hiding/ concealed near the Indo-Bangladesh Border Security Fence along the border road in the process of collection of the seized 64,65,000/- high quality FICNs from his associates Rinku Sk(A-3), Barkat Ali (A-1) and Dalim Sk(A-2), who positioned themselves in covert manner with the smuggled consignment of high quality FICNs under the bamboo grove (SoC) located near and across the Border Security Fence, approximately 135 meters inside India from the Indo-Bangladesh Border Pillar No. 170.

Investigation further establishes that accused Biyol Sk(A-9) is also directly involved and arrested in connection with the F.I.R. No. 404 dated 14.10.2016 of Samsorganj PS under sections 489B and 489C of I.P.C. towards seizure of FICNs having face value Rs. 7,96,000/- from the possession of accused Biyol Sk. (A-9) and his arrest in the said case and subsequent charge-sheet filed by Shamshorganj PS vide Charge-sheet No. 478/16 dated 12.12.16 u/s 489B & 489C of IPC, proves that accused Biyol Sk(A-9), is a habitual racketeer of FICNs.

Therefore accused Biyol Sk (A-9) being the member of the gang of high quality FICNs smugglers, together with A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8 and A-10, by organizing, attending and hatching the conspiracy in the meetings on 04.05.2015 and 06.05.2015 had attempted to collect the high quality FICNs having face value Rs. 64,65,000/- from A-1, A-2 & A-3, who were hiding / concealed themselves under the bamboo bush (SoC) in Indian Territory near the International boundary, thereby committed the offences under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967 and liable to be prosecuted.

#### **18.6 Offence committed by accused Rahaman Sk @ Abdul Rahaman (A-10) – (Absconding) :**

Further investigation established that accused Rahaman Sk. (A-10) together with Barkat Ali(A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk(A-7), Montu Sk(A-8) & Biyol Sk(A-9), attended the meeting organized by his associates on 04.05.2015 in the house of Rahim Sk (A-6) and by organizing and attending the another meeting on

06.05.2015 in the periphery of the houses of Islam @ Anikul Sk (A-4) and Biyol Sk(A-9), had collectively hatched the conspiracy for smuggling of high quality FICNs from Bangladesh to India through Indo-Bangladesh International Border and for further circulation of the same to the other parts of India. Sufficient oral evidences, including the confessional statement of A-5 and other witnesses and documents including the CDRs and the pointing out dated 22.11.16 and 23.11.16 respectively of A-7 and A-9, have been collected during the investigation to prove the fact. CDRs of Mobile No. [REDACTED] used by accused Rahaman Sk (A-10) will prove that said mobile has sufficient calls with mobile phone no. [REDACTED] used by accused Rinku Sk (A-3), mobile phone no. [REDACTED] used by accused Rahim Sk, mobile phone no. [REDACTED] used by accused Tahir Sk(A-7), mobile phone no. [REDACTED] used by accused Islam @ Anikul(A-4) and mobile phone no. [REDACTED] used by accused Salem Sk(A-5), during the relevant period as well as on 04.05.2015 and 06.05.2015.

During the investigation it has been clearly established that accused Rahaman Sk (A-10) was directly involved in the trafficking of FICN's vis-à-vis circulation of the same from across the border (Bangladesh) to India and all the members of the gang including himself, i.e. Barkat Ali (A-1), Dalim Sk(A-2), Rinku Sk(A-3), Anikul Sk(A-4), Solim Sk(A-5), Rahim Sk(A-6), Tahir Sk. (A-7), Montu Sk(A-8) & Biyol Sk(A-9) are known to each other and on the date of incident had assembled in the proximity of IBBF at the Daulatpur village for trafficking of FICN's seized in connection with this case.

Investigation further established that accused Rahaman Sk (A-10) together with A-4, A-5, A-6, A-8, A-7 and A-9, was hiding/ concealed himself near the Indo-Bangladesh Border Security Fence along the border road in the process of collection of the smuggled high quality FICNs from his associates namely Rinku Sk(A-3), Barkat Ali (A-1) and Dalim Sk(A-2), who positioned themselves in covert manner with the said high quality FICNs under the bamboo grove (SoC) located approximately 135 meters inside India from the Indo-Bangladesh Border Pillar No. 170 near Indo-Bangladesh Border Security Fence. The discovery and pointing out dated 22.11.16 and 23.11.16 carried out at the instance of A-7 and A-9, confirm the location of the scene of crime as well as the positions of his associates A-1 to A-9 and himself at the time of commission of offence of A-1 to

A-10 on 6th May, 2015 which is further corroborated by the confessional statement of A-5 and statements of other witnesses.

Therefore accused Rahaman Sk (A-10) being the member of the gang of high quality FICNs smugglers, together with A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8 and A-9, by organizing, attending and hatching the conspiracy in the meetings on 04.05.2015 and 06.05.2015 had attempted to collect the high quality FICNs having face value Rs. 64,65,000/- from A-1, A-2 & A-3, who had concealed themselves under the bamboo bush (SoC) in Indian Territory near the International boundary, thereby committed the offences under sections 120B, 489B of the Indian Penal Code and sections 16, 18 & 20 of the Unlawful Activities of Prevention Act, 1967 and liable to be prosecuted.

Accused Rahaman Sk (A-10) was issued with the notices during investigation to appear before the IO of the case but he did not respond. Subsequently, NBW of arrest against him was issued by the Ld. NIA Special Court Calcutta. Also the Proclamation order issued by Ld. NIA Special Court Calcutta has been duly executed. The accused is still **'absconding'**.

#### **19. CHARGE**

That the aforementioned facts and circumstances prima-facie 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	Rinku Sk @ Md. Mosiur @ Md. Islam @ Nazirul <b>(A-3)</b> s/o Sirajul Biswas @ Sirajuddin Biswas, resident of Village Chak Deonapur & Daulatpur, PS: Baishnabnagar, District Malda, West Bengal. <b>(Absconding)</b>	<b>Sections 120-B, 489B of IPC read with Sections 16, 18 &amp; 20 of Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>

02.	Rahim Sk <b>(A-6)</b> s/o Muntaz Ali, resident of Village Daulatpur, Gram Panchayat Bakhrabad, PS Baishnabnagar, District Malda, West Bengal. <b>(Absconding)</b>	<b>Sections 120-B, 489B of IPC read with Sections 16, 18 &amp; 20 of Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>
03.	Tahir Sk @ Md. Tahir Sekh <b>(A-7)</b> s/o Imajuddin Sekh @ Imu, resident of Village Daulatpur, Gram Panchayat Bakhrabad, PS Baishnabnagar, District Malda, West Bengal. <b>(Under Judicial Custody)</b>	<b>Section 120-B &amp; 489-B of IPC read with Sections 16, 18 &amp; 20 of the Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>
04.	Montu Sk <b>(A-8)</b> s/o Wabed Ali @ Abed Ali, resident of Village Daulatpur, Gram Panchayat Bakhrabad, PS Baishnabnagar, District Malda, West Bengal. <b>(Absconding)</b>	<b>Section 120-B &amp; 489-B of IPC read with Sections 16, 18 &amp; 20 of the Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>
05.	Biyol Sk @ Biyol Sekh <b>(A-9)</b> s/o Late Munjur Sk @ Monjur Sk @ Munzur Ali, resident of Village Daulatpur, Gram Panchayat Bakhrabad, PS Baishnabnagar, District Malda, West Bengal. <b>(Under Judicial Custody)</b>	<b>Section 120-B &amp; 489-B of IPC read with Sections 16, 18 &amp; 20 of the Unlawful Activities (Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>
06.	Rahaman Sk @ Abdul Rahaman s/o Hossain Ali @ Hosen Ali, resident of Village	<b>Section 120-B &amp; 489-B of IPC read with Sections 16, 18 &amp; 20 of the Unlawful Activities</b>



Daulatpur, Gram Panchayat Bakhrabad, PS Baishnabnagar, District Malda, West Bengal. <b>(Absconding)</b>	<b>(Prevention) Act, 1967 (As amended by Act 3 of 2013)</b>
---	---

20. The sanction for prosecution for the appropriate accused persons under provision of Section 45(1) of Unlawful Activities (Prevention) Act, 1967 has been obtained from the competent authority and enclosed herewith.
21. It is, therefore, prayed that in the light of the averments made hereinabove, 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 : [REDACTED]  
No. of enclosures : [REDACTED]

**List of enclosures** :

[REDACTED] : [REDACTED]  
[REDACTED] : [REDACTED]  
[REDACTED] : [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]