



**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
HYDERABAD.**

**SPLIT-UP CHARGE SHEET
(Under Section 173 Cr. P.C.)**

**BEFORE THE HONOURABLE XLIX ADDITIONAL CITY CIVIL &
SESSIONS COURT
(SPECIAL COURT FOR N.I.A CASES),
BANGALORE, KARNATAKA**

STATE

V/s

SHOAIB AHAMED MIRZA @ CHOTU AND OTHERS

- 1 Name of the Branch** : National Investigation Agency,
Hyderabad
- FIR No.** : RC 04/2012/NIA/HYD
- Year** : 2012
- Date** : 25.11.2012
- 2. Final Report/** : Split Up Charge Sheet filed against

Charge Sheet No. A-13 Shahid Faisal(Absconding)

- 3 Date :**
- 4 Sections of Law :** U/s 120 B r/w 153 A, 399 IPC, and section 18 read with sections 10, 13, 17, and 38 of the Unlawful Activities (Prevention) Act, 1967. Sections 3 r/w 25 of the Arms Act 1959.
- 5 Type of Final Report :** Split-up 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 Officers of :** 1. A.G. Kaisar,
Dy. Superintendent of Police,
NIA, Hyderabad
2. K.Sunil Emmanuel IPS
Superintendent of Police,
NIA, Hyderabad.
- 9 Name of the Complainants/ Informants :** Sri. K.N.Jithendranath, ACP (Special Enquiries), City Crime Branch, Bangalore City, Karnataka.
- 10 Details of properties/ Articles /Documents Recovered/ seized during Investigation and relied Upon. of :** As per list attached

11. PARTICULARS OF ACCUSED PERSON CHARGE SHEETED:

- 1) SHOAIB AHMED MIRZA @ CHOTU (A-1)
- 2) Abdul Hakeem Jamadar @ Abdul @ Abdullah @ AK
- 3) RIYAZ AHMED BYAHATTI (A-4)
- 4) MOHAMMAD AKRAM @ KHALED @ IMRAN KHAN (A-7)
- 5) UBEDULLAH BAHADUR @ SAMEER @ IMRAN (A-8)
- 6) WAHEED HUSSAIN KANAKYANAVAR @ SAHIL @ IBRAHEEM SAYED (A-9)
- 7) Dr. ZAFAR IQBAL SHOLAPUR @ ZAMEER (A-10)
- 8) MOHAMMAD SADIQ LASHKAR @ RAJU (A-11)
- 9) MEHBOOB BAGALKOTE @ BABA (A-12)

10) _ZAKIR @ USTAD@MOHAMMED SHAHEED FAISAL @ OMER (A-13)

1	Name	Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer
2	Whether verified	Yes
3	Age	28/2012 Years
4	Father's name	Mohammed Musa
5	Sex	Male
6	Nationality	Indian
7	Passport details	[REDACTED] [REDACTED]
8	Occupation	Employed in Gulf
9	Address (present)	[REDACTED] [REDACTED] [REDACTED]
10	Address(Permanent)	Same as above
11	Whether verified	Yes
12	ProvisionalCriminal No	Nil
13	Regular Criminal No.(If known)	Not Known
14	Date of arrest	Absconding
15	Date of release on bail	Not applicable
16	Under Act and Sections	U/s 120(B) r/w 153A, 399 IPC, and section 18 read with sections

	(of charge sheet)	10, 13, 17, and 38 of the Unlawful Activities (Prevention) Act, 1967. Sections 3 r/w 25 of the Arms Act 1959.
17	Name(s) of bailer/ sureties and Address	Not applicable
18	Previous Cases	Not known
19	Previous convictions with case Reference	Not known
20	Status of accused	Absconding

- 11) OBAID-UR-REHMAN @ OBAID @ HARRIS (A-14)
- 12) NAYUEEM SIDDIQUE@ AMITABH @ LAMBU (A-15)
- 13) DR.IMRAN AHMED(A-22)
- 14) SYED TANZEEM AHMED @ TANZEEM (A-25)

12. Particulars of the accused persons not charge sheeted and further investigation under 173(8) is continued :-

- 1) MOHAMMAD BHAI @ ABDU MARIAM @ ABDUL BARI @ ABU HAMZA (A-16)
- 2) FURKHAN BHAI @ ABDULLA @ MASOOD @ ABU SAAD (A-17)
- 3) USMANE GHANI KHAN @ DR. USMAN GHANI @ ABU ANAS (A-18)
- 4) MOHAMMED ABDUL MAJEED @ ABDUL MAJEED MOHAMMED (A-19)
- 5) ABDUL RAHMAN @ MOHAMMED FARHATHULLAH GHORI @ ABU SUFIYAN @ SUFI MAMA @ FARU MIYA @QAID @ FG @ PROFESSOR (A-20)
- 6) MOTU DOCTOR (A-21)
- 7) SIDDIQUE BIN OSMAN @ ABU HANZALA @ SABER@RAFEEQ @ CHIMAMU @ JABRI (A-23)
- 8) ASAD KHAN @ ABU SUFIYAN @ASADULLAH KHAN (A-24)

13. (i) Particulars of Witnesses examined

: **Annexure-I**-list of witnesses cited in the 1st main charge sheet and the Supplementary Charge sheets including documents submitted subsequently during the trial.

(ii) List of documents

: **Annexure-II**-list of documents cited in the 1st main charge sheet and the Supplementary Charge sheets including documents submitted subsequently during the trial.

(iii) List of Material Objects:

Annexure-III - list of documents cited in the 1st main charge sheet and the Supplementary Charge sheets including documents submitted subsequently during the trial.

14. If FIR is false, action taken : N.A

15. Result of laboratory analysis :

Reports from CFSL Hyderabad, FSL, Bangalore and CERTIN, New Delhi, Reports from Google and Yahoo.Inc (US) were received. Supplementary report of One Hard disc , 40 CD's and camera are yet to be received from CFSL Hyderabad.

16. BRIEF FACTS OF THE CASE:

16.1 The City Crime Branch, Bangalore received credible information that members of the banned terrorist organizations Lashkar-E-Taiba (**L-e-T**) and Harkat-ul-Jehad-E-Islami (**HuJI**) have hatched a conspiracy to indulge in subversive activities like target killings of important personalities of Hindu community in Bangalore and Hubli and thereby to disturb the communal harmony. They were also in possession of illegal fire arms and ammunition to carry out their desired objective and wage war against the Government of India.

16.2 Surveillance was arranged by CCB, Bangalore city Police over the activities of the suspected members at Hubli and Bangalore and finally on 29.08.2012 the accused Shoaib Ahamed Mirza @ Chotu (**A-1**) and Abdul Hakeem Jamadar (**A-2**) was arrested with illegal weapon when they were trying to eliminate their [REDACTED]

██████████ a well known columnist of ██████████, a daily news paper. Subsequently other accused were also arrested and a case was registered in Basaveshwara Nagar Police Station Crime.No.384/2012 under sections 120 B, 121, 121 A, 122, 153 A, 153 B, 307, 379 IPC and sections 3 & 25 of the Arms Act, 1959 and sections 10, 12, & 13, of the Unlawful Activities (Prevention) Act, 1967 on the complaint of Shri K.N.Jithendranath, ACP Bangalore City, Karnataka on 29.08.2012.

16.3 The investigation disclosed the widespread LeT supported network of terrorists based in Saudi Arabia, Pakistan and their associates in India in the States of Karnataka, Andhra Pradesh and Maharashtra and their conspiracy to wage war against Govt of India, It is also found during the investigation that a larger conspiracy was hatched by the accused in Riyadh and Dammam, Kingdom of Saudi Arabia In furtherance of the conspiracy hatched by them, the accused persons tried to kill the selected targets i.e. prominent right wing politicians, police officers and journalists in Bangalore, Hubli, Hyderabad and Nanded.

16.4 Having regard to the gravity and seriousness of the case and considering the international ramifications of the case, the Government of India passed orders to transfer the case to National Investigation Agency (NIA). As per the orders of Govt of India MHA No.1-11011/55/2012-IS-IV dated 16th November, 2012, National Investigation Agency took over the investigation of the above case and re-registered the same as RC 04/2012/NIA/HYD and the case was investigated by NIA Field Office, Hyderabad.

17. FACTS DISCLOSED DURING THE INVESTIGATION:

17.1 Investigation conducted by the Karnataka Police and the NIA has revealed that some members of the banned terrorist organizations LeT/HuJI based in Saudi Arabia and Pakistan hatched a conspiracy to carry out target killings in Bangalore, Hubli, Hyderabad and Nanded with the help of their operatives in Karnataka, Andhra Pradesh and Maharashtra. They chose

[REDACTED], [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]. Similarly in Hyderabad, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] were identified as targets. The arrested accused were given specific tasks in furtherance of this conspiracy. One Ustad @ Zakir **(A-13)**, whose identity is now established as Mohammed Shaheed Faisal of Bangalore, cultivated the above accused in Bangalore and elsewhere from September 2010 onwards and was their main handler in India.

17.2 The accused persons, Abdul Hakeem Jamadar **(A-2)** and Dr. Zafar Iqbal Sholapur **(A-10)** had visited Pakistan via Iran during 2011-12 with the help of Zakir @ Ustad **(A-13)** in furtherance of their Jihadi activities. They had disclosed during the interrogation that they had planned to go to Afghanistan and join the Taliban to fight against American and NATO Forces, but due to the intervention of one Abdul Rehman @ Farhathullah Ghorri **(A-20)**, based in Karachi, Pakistan, who is wanted in 'Akshara Dham' Temple attack case of Gujarat, they were taken to Karachi, where they met some senior ISI officials like Hamd, Mustafa, Abdul Wahed; LeT operatives like Riyan and others. These ISI officials motivated them to collect intelligence and carryout espionage activities for them in India. Accordingly, they received training in collection of intelligence, Cyber crime, handling of weapons and firing.

17.3 In furtherance of their conspiracy, accused Shoaib Ahmed Mirza **(A-1)** received three Illegal firearms i.e., pistols and ammunition from an unknown person at Bangalore Islamic Foundation Trust (BIFT) Library in Bangalore in the 1st week of June, and also funds as per the instructions of Ustad @ Zakir **(A-13)** for the target killings. Accused Shoaib Ahmed Mirza **(A-1)**, Abdul Hakeem Jamadar **(A-2)**, Riyaz Ahmed Byhatti **(A-4)**, Ubedulla

Bahadur @ Imran (A-8), Wahid Hussain (A-9), Mohammed Sadiq Lashkar (A-11) and Mehboob Bagalkote (A-12) tested these weapons on the outskirts of Hubli and Dandeli. As one of the three pistols was defective, Shoaib Ahmed Mirza (A-1) returned the defective pistol, on the instructions of Ustad @ Zakir (A-13), to the same person who had delivered him the weapons.

17.4 The accused in furtherance of their conspiracy for terrorist activities, planned to commit robbery/dacoity of certain jewellery shops at Hubli and wanted to use the money looted for jihad as per their belief about “*Mal-e-Ghanimat*” (spoils of war), so as to raise funds for terrorist activities and terrorist organizations.

17.5 During the month of August 2012, Shoaib Ahmed Mirza (A-1) and Ubedulla Bahadur @ Imran (A-8) visited Mumbai for procuring the implements like lock pickers, cutters, pepper spray cans, torches, tyre spikes required for committing dacoity. They also purchased a car for receiving and using it as an escape vehicle. They also rented a house which was used as a safe house, for conducting their conspiracy meetings and store materials required for commission of dacoity. On the instructions of Dr. Zafar Iqbal Sholapur (A-10), Dr. Nayeem Siddique (A-15) had purchased and provided Ketamine, a sedative drug, from [REDACTED] to other accused who intended to commit dacoity.

17.6 The accused communicated via emails to plan the modus operandi of executing the conspiracy, sharing the information about the targets, procurement of weapons, financing the operations of target killing and committing robbery/dacoity. During the course of investigation, the accused volunteered to give information about their email IDs in which they had planned conspiracy. Many email accounts were opened in the presence of witnesses leading to discovery of facts regarding the conspiracy of target killing and committing robbery/dacoity in order to raise funds for terrorist activities and also many incriminating jihadi literature was also recovered from their mail IDs in the form of attachments.

17.7 During the investigation the accused in custody, namely, Shoaib Ahmed Mirza **(A-1)**, Abdul Hakeem Jamadar **(A-2)** and Obedur Rehman (A-14) led the investigation team to various places and volunteered to show the places where they had accessed the Internet from cyber cafe for mailing their handler and other accused. Accordingly the hard discs of the computers at cyber cafés were seized.

17.8 During investigation the accused persons while in custody, namely, Ubedulla Bahadur @Imran **(A-8)** and Wahid Hussain **(A-9)** led the Investigation team to the places at Dandeli forest and Bidnal village of Hubli where the accused persons had undergone firing practice with the weapons sent by their handler Ustad @ Zakir **(A-13)**. At Bidnal village on Mantur road on the outskirts of Hubli, two empty cartridges were recovered from the place as pointed out by the accused Wahid Hussain **(A-9)**.

17.9 During the custodial interrogation, Mehaboob Bagalkote @ Baba **(A-12)** and Imran @ Ubedulla Bahadur **(A-8)** led the investigation team to Hubli as pointed by Mehaboob Bagalkot @ Babu **(A-12)**, a white Marathi Suzuki 800 Car bearing number KA-04-N-835 which was used by the accused persons for their terrorist activities at Hubli was seized. One Power shot Canon Camera which was purchased by Dr. Zafar Iqbal Sholapur **(A-10)** and Abdul Hakeem **(A-2)** during their visit to Iran and Pakistan and which was handed over to Ubedulla Bahadur@ Imran **(A-8)** after their return to Hubli was also seized from the house of Ubedulla Bahadur@ Imran **(A-8)**.

17.10 During investigation the portraits of all absconding accused in India and abroad were developed. One of the portraits of Ustad @ Zakir **(A-13)** developed on the information provided by Shoaib Ahmed Mirza @ Chotu **(A-1)** was identified by one [REDACTED]

[REDACTED] as Shaheed. During further

efforts the said Shaheed was identified as Mohammed Shaheed Faisal of Yeshwantpur, Bangalore who studied engineering at [REDACTED]. Now he is in Saudi Arabia.

17.11 While the accused persons were in custody, they were interrogated thoroughly. They disclosed that Shoaib Ahamed Mirza @ Chotu **(A-1)**, Abdul Hakeem Jamadar **(A-2)**, Riyaz Ahmed Byahatti @ Saleem **(A-4)**, Ubedulla Bahadur @ Imran **(A-8)**, Wahid Hussain @ Sohail **(A-9)**, Mohamed Sadiq Laskar @ Raja **(A-11)** and Mehaboob Bagalkot @ Baba **(A-12)** were the members of Popular Front of India (PFI). While in PFI, some of them were actively participating in the activities of the organization at Hubli. They were regularly attending the meetings and other activities like Dars-e-Quran and other religious programmes of the organization. They were also motivated to fight against the enemies particularly during rioting.

17.12 During the course of investigation it came to light that the accused persons were motivated to carry out jihadi activities. As per the instructions of Zakir @ Ustad @ Mohammed Shaheed Faisal **(A-13)**, they selected the targets to be eliminated in Bangalore, Hubli, Hyderabad and Nanded. They confessed about their conspiracy held at various places in India and abroad. They also revealed about their entire terrorist network. Their intention was to create instability in the state by their subversive activities like target killings of prominent Hindu leaders, journalists and Police officers.

17.13 During the investigation, it is revealed that, accused Mohamed Akram @ Khalid **(A-7)** went to Saudi Arabia with the help of one Mohammed Abdul Majeed, **(A19)** (brother of late Shahid Bilal accused in Task Force Office blast case of Hyderabad.) who is presently at Riyadh, Saudi Arabia. Mohammed Akram **(A-7)** visited Saudi under the guise of seeking employment as a driver. It is further revealed that Abdul Majeed **(A-19)** of the terrorist outfit HuJI introduced Akram @ Khalid **(A-7)** to one Siddique Bin Osman @ Abu Hanzala @ Saber **(A-23)** native of Hyderabad (working for LeT, wanted accused in Cr.No.155/98 of CCS, Hyderabad), who motivated him to carry out jihadi activities in India. Thereafter he met one Mohammed Bhai @ Abdu Mariam @ Abdul Bari @ Abu

Hamza **(A-16)** (working for LeT, wanted accused in Sai Baba Temple blast case in Hyderabad in the year 2002) native of Hyderabad; Furkhan Bhai @ Abdulla @ Masood @ Abu Saad **(A-17)** (LeT operative) native of Hyderabad; Dr.Imran @ Immu **(A-22)** (LeT operative) learnt to be native of Karnataka; Motu Doctor **(A-2)** (LeT operative) learnt to be native of Karnataka; Dr. Usmane Ghani Khan @ Abu Anas **(A-18)** (LeT operative) native of Dharwad and Ustad @ Mohamed Shaheed Faisal @ Omer @ Zakir **(A-13)** (LeT operative) of Bangalore, and Asad Khan @ Abu Sufiyan **(A-24)** (LeT operative) of Masab tank of Hyderabad. During his stay in Saudi Arabia he along with the accused noted above had two conspiracy meetings at Riyadh and Dammam to carryout target killings of prominent Hindu leaders, journalist, politicians and Police officers and carryout terrorist activities in India. He had also contacted one Abdul Rehman @ Farathullah Ghori @ Chacha @ Zameer @ Abu Sufian **(A-20)** (LeT operative) native of Hyderabad, presently based in Karachi, Pakistan, a wanted accused in Akshardham temple attack case of Gujrat 2002.

17.14 Digital evidences like hard disc, laptops, pen drives, compact discs and mobile phones seized from the accused have been sent to Central Forensic Science Laboratory, Hyderabad, for analysis. The seized arms and ammunition were sent to Forensic Science Laboratory, Bangalore City for examination and opinion has been obtained.

17.15 During investigation the accused Syed Tanzeem Ahmed @ Tanzeem **(A-25)** Son of Syed Altaf Ahmed, was arrested who disclosed that he was a member of Popular Front of India (PFI) earlier and actively participated in its activities. He was introduced to Shoaib Ahamed Mirza @ Chotu **(A-1)** by Dr.Tausif. On the instructions of Shoaib Ahamed **(A-1)**, Tanzeem **(A-25)**, located and surveyed the movements of [REDACTED] for his killing. Based on his information one HTC mobile was seized which contained incriminating jihadi materials and also retrieved provocative jihadi literatures from his e-mail ID [REDACTED] during his custody.

17.16 In response to the notice given to e-mail service providers to provide information about the e-mail IDs of Mohammed Akram @ Khalid **(A-7)**, Dr. Nayeem Siddique **(A-15)**, Dr. Zafar Iqbal Sholapur **(A-10)**, Ubedulla Bahadur @ Imran **(A-8)**, Riyaz Ahmed Byhatti **(A-5)**, Shoaib Ahmed Mirza @ Chotu **(A-1)**, Syed Anzar Sha Khasmi, Zakir @ Ustad **(A-13)**, the CDs containing the information have been provided by e-mail service providers.

17.17 An MLAT request has been forwarded to the USA for obtaining details of the e-mails.

18. CHARGE.

18.1 That, **Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer (A-13)** have entered in to criminal conspiracy with the accused Shoaib Ahmed Mirza @ Chotu **(A-1)**, Abdul Hakeem Jamadar **(A-2)**, Riyaz Ahmed Byhatti **(A-4)**, Mohammad Akram @ Khaled @ Imran Khan **(A-7)**, Ubedullah Bahadur @ Sameer @ Imran **(A-8)**, Waheed Hussain Kanakyanavar @ Sahil @ Ibraheem Sayed **(A-9)**, Zafar Iqbal Sholapur @ Zameer **(A-10)**, Mohammad Sadiq Lashkar @ Raju **(A-11)**, Mehboob Bagalkote @ Baba **(A-12)**, Obaid-Ur-Rehman @ Obaid @ Harris **(A-14)**, Dr. Nayueem Siddique @Amitabh @ Lambu **(A-15)** and **Others** to wage war against Govt of India, target killings of important personalities of Hindu community to disturb the communal harmony, committing robbery/dacoity to raise funds for terrorist activities etc. In pursuance of the said criminal conspiracy **Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer (A-13)** have collected weapons, recruited men, identified of Religious leaders as targets for killing to incite communal disharmony, made preparations by procuring implements for committing robbery/dacoity to raise funds for terrorist activities, exchanged emails through encrypted messages for concealing the design to commit the crime. Therefore **Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer (A-13)** have committed offences punishable under sections 120 B r/w 153 A, 399 of IPC, section 18 read with sections 10, 13, 17, and 38 of the Unlawful Activities (Prevention) Act, 1967 and sections 3 r/w 25 of the Arms Act 1959.

18.2. The sanction for prosecution Sec 45(2) Unlawful Activities (Prevention) Act, 1967 for prosecuting offences under section 18 read with sections 10, 13, 17, and 38 of the Unlawful Activities (Prevention) Act, 1967 and sanction for prosecution u/s 196 of the Cr.PC for invoking section 153 A r/w 120 B of the IPC has been accorded by Ministry of Home Affairs, Govt. Of India vide order No. 1-11011/62/2010-IS dated 18.02.2013 has been obtained and is already enclosed in original charge sheet.

18.3 The sanction for prosecution required u/s 39 of the Arms Act 1959 against the accused for prosecuting them for offences sections 3 r/w 25 of the Arms Act 1959.has been accorded by the Commissioner Bangalore city, Karnataka vide Order No. Crime(2)/441/COP/2012 dated 19.02.2013 as is already enclosed in original charge sheet.

18.4 That further investigation is inevitable against the absconding accused Mohammed Shaheed Faisal@Zakir@Ustad**(A-13)**, Mohammad @Abu Hamza **(A-16)**, Abu Saad @ Furkhan Bhai @ Abdula @ Masood **(A-17)**, Usmane Ghani Khan @ Dr. Usman Ghani @ Abu Anas **(A-18)**, Mohammed Abdul Majeed @ Abdul Majeed Mohammed **(A-19)**, Abdul Rehman @ Farathullah Ghori **(A-20)**, Motu Doctor **(A-21)**, Dr. Imran @ Immu **(A-22)**, Siddiq Bin Osman @ Abu Hanzala @ Saber **(A-23)**, and Asad Khan @ Abu Sufiyan @ Asadullah Khan **(A-24)**. Further investigation is also unavoidable to unearth the larger conspiracy and for collecting additional evidence against the accused persons who are charge sheeted. Additional witness list and documents list will be filed in due course.

18.5. It is, therefore, prayed that the Hon'ble Court may be pleased to take cognizance against absconding accused **Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer (A-13)** punishable under sections 120 B r/w 153 A, 399 of IPC, section 18 read with sections 10, 13, 17, and 38 of the Unlawful Activities (Prevention) Act, 1967 and sections 3 r/w 25 of the Arms Act 1959.

I am filing this Split up Charge Sheet against **Zakir @ Ustad @ Mohammed Shaheed Faisal @ Omer (A-13)** as per the court orders and requests the Hon'ble Court to issue NBW against him.

It is also prayed that further investigation u/s 173 (8) Cr.PC against the accused, arrested/absconding mentioned in Column No. 12 (b) may be permitted for the ends of justice.

19. Despatched on :

20. No. of enclosures : 03.

21. List of enclosures : 1. Annexure I (List of Witnesses)
2. Annexure II (List of Documents)
3. Annexure III (List of Material objects)

Forwarded by SP-II/NIA.

Signature of the
Investigating Officer
submitting the Final Report

**Superintendent of Police,
NIA /Hyderabad**

**(A.G.Kaiser)
Deputy Supdt.of Police
NIA,Hyderabad.**