

**CHARGE SHEET
(Supplementary)
(Under Section 173 Cr. PC)**

IN THE COURT OF SPECIAL JUDGE, NIA, PATNA, BIHAR

1	Name of the Investigation Agency	National Investigation Agency (NIA)
2	FIR No. and Date	RC 08/2016/NIA-DLI, 15.03.2016
3	Final Report/ Charge sheet No.	10 A of 2016
4	Date	14.10.2017
5	Sections of law	Section 489 B, 489 C, 120 (B) of IPC, Section 16, 18 & 20 of UA (P) Act, 1967 as amended.
6	Type of Final Report	Charge sheet
7	If Final Report Un-occurred / false/ Mistake of law/ Non-Cognizable/Civil Nature	Not applicable
8	If Charge-sheeted: Original/ Supplementary	Supplementary. Chargesheet No. 10/2016 dated 21.09.2016 against accused [REDACTED] [REDACTED] [REDACTED] (A-1)
9	Name of the Investigation officer	[REDACTED] Dy.Suptd. of Police, NIA, Lucknow.
10	Name of the complainant/ Informant	Sh. [REDACTED] Assistant Director, DRI, RU, Muzaffarpur, Bihar.
11	Details of Properties/Articles/ Documents recovered/seized During investigation and relied upon:	As per Annexure II and III enclosed.

12. Particulars of accused person charge-sheeted:

a	Name	[REDACTED] (A-2)
b	Father's Name	[REDACTED]
c	Age	37 years as on 2017
d	Sex	Male
e	Nationality	[REDACTED]

	<p>The accused disclosed that the said currency notes are fake and have been smuggled from foreign country into India and that the actual owner of the said seized FICN is one [REDACTED] (A-2) resident of Village [REDACTED], Police Station [REDACTED], District [REDACTED].</p> <p>The Ministry of the Home Affairs, Government of India, directed the National Investigation Agency, vide order F.No.11011/09/2016-IS-IV, dated 10.03.2016, to take up investigation of the DRI Unit Case No. 07/2015, dated 24.09.2015, Muzaffarpur, Bihar. In compliance, the NIA registered the case vide RC-08/2016/NIA-DLI, at NIA, Delhi, on 15.03.2016, under section (s) 489 B & 489 C of I.P.C. and section (s) 16 & 18 of the Unlawful Activities (Prevention) Act, 1967 (as amended), against [REDACTED] and others.</p> <p>During the course of investigation Charge sheet no. 10/2016 dated 21.09.2016 was submitted against accused [REDACTED] (A-1) on 23.09.2016 before Hon'ble Spl. NIA Court Patna and the case is under trial.</p> <p>The accused [REDACTED] (A-2) was arrested on 03.05.2017 and is presently in Judicial Custody. During examination [REDACTED] (A-2) disclosed that the seized currency notes are fake and have been smuggled from foreign country into India for him and he was the actual owner of the said seized FICN.</p>
17.	Facts disclosed in investigation:
	<p>17.01 Investigation revealed that the officers of DRI Muzaffarpur seized a parcel having docket no. [REDACTED] containing 5086 numbers of FICN of denomination of Rupees 500/-, having total face value of Rupees 25,43,000/- along with other articles from the office of Gati KWE at Raxaul, East Champaran, Bihar on 24.09.2015. Whereas the consignee of the said parcel was not apprehended on the date of seizure, officers of DRI, Muzaffarpur, Bihar kept continuous surveillance at office of Gati Kintetsu Express Private Limited at Raxaul, District East Champaran, Bihar, from the date of seizure till 30.09.2015. Accused A-1 appeared before the staff of M/S Gati Kintetsu Express Private Limited, Raxaul to take the delivery of the said parcel (docket no. [REDACTED]) on 30.9.2015 and was apprehended by the Officers of DRI. His mobile phone with number [REDACTED] was also seized. A-1 disclosed that the said Indian Currency Notes are fake and have been smuggled from Foreign Country into India. He also stated that actual owner of the said seized FICN is one person namely [REDACTED] (A-2) R/o Village [REDACTED], Police Station [REDACTED], District [REDACTED].</p> <p>17.02 The above said FICN were sent to FSL Bihar, Patna for expert opinion. The preliminary report of FSL revealed that all the seized currency notes were High Quality Counterfeit Indian Currency as per High Quality Counterfeit Indian Currency Offences Rules, 2013 as defined in the Third Schedule of the UA (P) Act 1967.</p> <p>17.03 A complaint against arrested accused A-1 in DRI Case No. 07/2015 under section 11 of Customs Act, 1962 punishable under section 135 of Customs Act, 1962, was filed before the Court of Economic Offences, Muzaffarpur, Bihar on 27.11.2015 by</p>

Sh. [REDACTED], Intelligence Officer, DRI, Regional Unit, Muzaffarpur. All original documents were transferred to the Court of Special Judge NIA, Patna, Bihar from the Court of Economic Offences, Muzaffarpur, Bihar.

- 17.04** Investigation revealed that A-2 had taken a copy of A-1's voter ID card earlier and had sent the copy of the voter ID card to an accomplice A-3 in UAE. A-2 had informed A-1 that a consignment containing food and other household items along with FICN, would come in his name and address from the [REDACTED]. A-2 had further told him that his accomplice from [REDACTED] will contact him telephonically regarding delivery of the parcel. A-2 had directed A-1 to inform him after receiving the consignment, so that he may collect it from A-1. A-2 had promised to pay him on the delivery of the parcel. This consignment of FICN was sent from [REDACTED] through courier in A-1's name on the direction of A-2. A-1 had further informed that he had saved some telephonic conversations in his mobile phone and that included calls from A-2 and his accomplice from [REDACTED] regarding the consignment.
- 17.05** The examination report No.1637/15 dated 19.02.2016 of Director, Forensic Science Laboratory, Government of Bihar, Patna, reveals that on the basis of physical examination the oddities were found in security features such as water marks, security thread, see through register, latent image, raised effect, fluorescence characteristics, paper taggant and colour shift effect in OVI and security thread. The SFSL report confirms that the seized FICN are counterfeit Indian Currency of high quality. The said FICN was sent to Currency Note Press, Nashik Road, Maharashtra, for examination. The report of Currency Note Press, Nashik reveals that all the seized FICN are high quality Counterfeit Notes.
- 17.06** During the investigation, the seized Mobile handset of accused A-1 was sent to CERT-In, New Delhi on 05-05-2016 for data extraction and forensic examination. The report of CERT-In, New Delhi revealed that a total of [REDACTED] recorded phone conversations and [REDACTED] contacts were retrieved. During further examination, accused A-1 informed about the mobile contacts extracted by CERT-in from his mobile phone. He also identified the voices in the retrieved recorded conversations from his seized mobile phone. In the retrieved recorded/saved conversations, a total of 13 out of [REDACTED] recorded conversations were found linked with the deal and delivery of the FICN. In these conversations A-1 asks about the reference number of the consignment from the conspirator of UAE and talks regarding consignment. The conspirator of UAE A-3 asks about the address Pin code of A-1 and A-1 informs him the pin code number. The conspirator from UAE A-3 also asks A-1 to tell his Pin code to A-2. Further in another conversation A-2 informs A-1 about the contact number of office of Gati Kintetsu Express Private Limited, Raxaul, where the consignment was to be received. The recorded conversations between accused A-1 from mobile phone number [REDACTED] and A-2 mobile number [REDACTED] is saved, as voice clip number 064 (23/09/2015, time 03:22:06 PM). In this

conversation A-2 informs A-1 the contact number of Gati KWE, Raxaul and also asked him to note a docket number of another consignment. This establishes the association of A-2 in the conspiracy and smuggling of FICN.

- 17.07 The statement of Sh. Deepak Kumar, Senior Intelligence Officer establishes the confessional statement of accused A-1, recorded under section 108 Indian Customs Act, 1962. The other officers of DRI, Regional Unit, Muzaffarpur, witnesses of Gati KWE, and others will establish the seizure of FICN.
- 17.08 During course of investigation, Customer Application Form (CAF) of mobile no. [REDACTED] was taken, which establishes that SIM of mobile number [REDACTED] was issued in the name of A-1. The certified copy of CDR of mobile no. [REDACTED] proves that he was in contact with (i) mobile number [REDACTED] used by accused A-2, (19 calls and 12 SMS from 08-09-2015 to 30-09-2015), (ii) mobile number [REDACTED] (4 calls and 2 SMS from 23-08-2015 to 25-08-2015), (iii) mobile number [REDACTED] (1 call and 1 SMS on 05-09-2015) of Nepal, and UAE based conspirator's (i) mobile number [REDACTED] (8 calls and 1 SMS from 09-09-2015 to 19-09-2015). He was also in contact with the mobile number [REDACTED] of Gati KWE, Raxaul (16 calls and 6 SMS from 18-09-2015 to 30-09-2015) and mobile number [REDACTED] of Gati KWE, Muzaffarpur (05 calls from 18-09-2015 to 23-09-2015), during the period of dealing of FICN.
- 17.09 Investigation revealed that A-2 had contacts with Indian mobile number [REDACTED]. The CDR and CAF of the number were analysed. Investigations revealed that the SIM was issued in the name of [REDACTED] son of [REDACTED] resident of Village [REDACTED], Police Station [REDACTED], District [REDACTED] Bihar and its user was [REDACTED] son of [REDACTED]. The mobile number [REDACTED] was found in contact with mobile number [REDACTED] of UAE from 29-07-2015 to 13-08-2015, and mobile number [REDACTED] of UAE from 27-06-2015 to 17-09-2015, and mobile number [REDACTED] of Gati Kintetsu Express Private Limited from 13-07-2015 to 22-07-2015. During the investigation, the statement of [REDACTED] was recorded. [REDACTED] stated that he was the user of mobile number [REDACTED] which is in the name of his brother [REDACTED]. He informed that he was in contact with A-2 through A-2's mobile number [REDACTED]. He stated that A-2 is the son of his mother's sister [REDACTED] and that in May-June 2015, A-2 had asked him for his Voter ID for delivery of a consignment containing eatables and house hold items from UAE. Upon his enquiry A-2 had informed him that the delivery of consignment in Nepal takes much more time compared to delivery in India. Being his relative, he gave A-2 the photocopy of his father's Voter ID. In July 2015, a consignment arrived which he had collected. The next day A-2 came to his house and received the parcel. He informed that A-2 used

him for getting delivery of a parcel due to family relationship. Upon being asked about his contact with mobile numbers of [REDACTED], He also stated that A-2 used to call him from [REDACTED], [REDACTED] also. He informed that mobile number [REDACTED] of UAE belongs to the accomplice of A-3, who contacted him on his mobile phone a few times regarding the consignment. The statement was also supported by the statements of Sh [REDACTED].

- 17.10 Letter Rogatory for seeking assistance in investigation was forwarded to the Government of Nepal and a mutual legal assistance (MLA) request for legal Assistance in investigation was sent to the United Arab Emirates.
- 17.11 After investigation Charge sheet no. 10/2016 dated 21.09.2016 was submitted against A-1 on 23.09.2016 before the Hon'ble Spl. NIA Court, Patna and the case is under trial.
- 17.12 During investigation accused A-2 was arrested on 03.05.2017. Two mobile phones were recovered from the possession of accused A-2 at the time of his arrest.
- 17.13 A-2 was examined in Police Custody remand. A-2 disclosed that he was actively involved in the smuggling of Fake Indian Currency Notes since 2012-2013. He used to contact [REDACTED] (A-3), a [REDACTED] who is stationed in [REDACTED] and using mobile number [REDACTED] for sending the consignment of FICN through Courier Services. He contacted A-1, and asked him to provide his ID for consignment of FICN. He also provided the contact number of A-1 since the same was mandatory for booking the consignment of FICN through courier service. During this entire process he used to [REDACTED] [REDACTED] (A-3) and A-1 through his mobile number [REDACTED]. He disclosed that if voices of [REDACTED] (A-3) and A-1 is played before him, he can identify both the voices. He also can identify his own voice. Disclosure memo was drawn before the independent witnesses. A-2 identified that voice clips containing the voice of A-1 and accused [REDACTED] (A-3). He also identified a voice clip containing one voice of himself and others voice of A-1.
- 17.14 Accused A-1 had recorded one call of accused A-2 from mobile number [REDACTED] on 23.09.2015. The CDR of mobile number [REDACTED] of accused [REDACTED] establishes the conversation with mobile number [REDACTED] of A-2. The recorded conversation reveals that accused A-2 asked A-1 to note the mobile number [REDACTED] of Gati KWE Private Limited, Raxaul, where the consignment of FICN was sent from UAE. Accused A-2 also asked A-1 to note another consignment number. This recorded call was retrieved from the seized mobile phone of A-1. The specimen voice sample of accused A-2 was collected and sent for possible matching with the retrieved recorded conversation. The report of SFSL, Patna reveals that on the basis of Auditory and instrumental analysis and common clue words, the voices are probable similar voices.
- 17.15 During the investigation, A-2 further disclosed that in last 4-5 years he had received

consignments of huge quantity of FICN from A-3 at different places and circulated them in India. Apart from the consignment of the instant case, he had earlier received one consignment of FICN of face value of Rs. 14 Lakh through one [REDACTED], another consignment of FICN of face value of Rs. 12 Lakh through one [REDACTED] of [REDACTED], yet another consignment of FICN of face value of Rs. 18 Lakh in the name of [REDACTED] s/o [REDACTED] R/o [REDACTED], District [REDACTED]. Disclosure memo was drawn before the independent witnesses. After the disclosure, A-2 willingly lead the team to the places where he received the Consignments of FICN. He led the team to [REDACTED], District [REDACTED]. There after he led to the place where the motorbike mechanic used to work and place near Post office at [REDACTED], District [REDACTED]. There after A-2 led the team to Village [REDACTED], PS [REDACTED], District [REDACTED] where accused pointed out the place where he had taken the consignment of 18 Lakh FICN from [REDACTED]. He also disclosed that he circulated the FICN smuggled through persons of India and Nepal who contacted him through mobile. The disclosure and pointing out memo was drawn before the witnesses, reveals that he is actively involved in the smuggling of Fake Indian Currency Notes since 2012-2013.

- 17.16 The accused A-2 further disclosed that on instructions of A-3, he had made the payments for the FICN smuggled through consignments through the [REDACTED], [REDACTED] located at [REDACTED] in the account of a person stationed at [REDACTED]. He informed that he neither knows nor has ever met the person stationed at [REDACTED]. He had deposited the payments in the account given to him by A-3. A Letter Rogatory is being prepared for seeking assistance in investigation from the Competent Authority in the [REDACTED] Republic of [REDACTED].
- 17.17 Sh. [REDACTED], SHO PS [REDACTED] was examined who corroborated the arrest of A-2 and recovery of two mobile phones from his possession. The certified copy of General Dairy no. 50 time 09.20 AM and 54 time 13.50 hrs dated 03.05.2017 of PS [REDACTED], District [REDACTED], [REDACTED] was obtained and it reveals the departure of the SHO and arrival of SHO with the arrested accused A-2.
- 17.18 The sealed envelope containing two Mobile sets (i) Nokia black colour, IMEI No. [REDACTED] with SIM of [REDACTED], No. [REDACTED], (ii) Black colour mobile of Nokia company IMEI No. [REDACTED] with [REDACTED] company SIM No. [REDACTED], recovered from the possession of A-2 at the time of arrest was sent to CERT-In, for forensic examination. The examination report of CERT-In reveals that accused A-2 was having contact number of [REDACTED] (A-3) in his phone book.
- 17.19 Investigation reveals that accused A-2 was in contact with accused A-1 during the period of delivery of consignment of FICN. It surfaced that accused A-1 was using

mobile no. [REDACTED] and accused A-2 was using mobile number [REDACTED], [REDACTED] and [REDACTED]. The CDR of mobile no. [REDACTED] proves that he was in contact with mobile number [REDACTED] (19 calls and 12 SMS from 08-09-2015 to 30-09-2015), (ii) mobile number [REDACTED] (4 calls and 2 SMS from 23-08-2015 to 25-08-2015), (iii) mobile number [REDACTED] (1 call and 1 SMS on 05-09-2015) during the period. CDRs and ILD Gateway reports of mobile numbers [REDACTED] & [REDACTED] used by accused [REDACTED] also establishes contact of A-2 with A-1 (mobile no. [REDACTED]). CDR and ILD Gateway report of A-2's mobile number, [REDACTED] also establishes the contacts with Pakistan Mobile no [REDACTED] (one SMS on 24.07.2015 from India Hits). This number was found in the name of [REDACTED], in TRUECALLER and in the name of [REDACTED] in Whatsapp. The accused A-2 during interrogation also informed that the mobile is of [REDACTED] (A-3).

- 17.20 Investigation revealed that a Voice clip contained a recorded conversation dated 18.09.2015 between mobile no [REDACTED] of accused A-1 and Mobile no [REDACTED] of A-3. The conversation establishes that A-3 was in the need of PIN Code for sending the Parcel of FICN from UAE to India and instructed A-1 to furnish the PIN Code to accused A-2, who would convey the same to the person in the UAE.
- 17.21 The statement of [REDACTED] user of mobile no. [REDACTED] establishes that accused A-2 was using mobile number [REDACTED], [REDACTED] and [REDACTED]. The CDR of mobile number [REDACTED] confirms 20 calls with mobile number [REDACTED] of A-2 from 05-07-2015 to 28-09-2015, 42 calls with mobile number [REDACTED] of A-2 from 14-04-2015 to 16-08-2015 and One call with mobile number [REDACTED] of A-2 on 10-07-2015.
- 17.22 During investigation collected evidence seizure memo, the statement of witnesses, confessional statement of accused A-1 U/s 108 Customs Act, call records of accused persons, the saved and retrieved 13 voice clips from mobile phone recovered from the possession of A-1 & A-2 pertaining to instant transaction, the reports of SFSL Patna regarding matching of voice samples of A-1 & A-2, and SFSL report Patna regarding FICN, report of Currency Note Press Nashik, Maharashtra regarding FICN, the report of CERT-In New Delhi regarding retrieved data & saved contacts etc. of mobile phones recovered from the possession of accused A-1 & A-2, disclosure and pointing of A-2, previous criminal history of A-2 etc. established the involvement and conspiracy of accused [REDACTED] A-2 of in the instant case.
- 17.23 The investigation revealed that A-2 had made a gang with A-3 and conspired to smuggle, procure, circulate and deal with FICN to damage the monetary stability of India. The investigation revealed that he smuggled and procured FICN from A-3

and his other associates in at least 3 other occasions apart from the instant case. He further circulated the smuggled FICN in India. Thus A-2 committed the offence of smuggling, procurement, conspiracy and dealing with smuggled FICN to damage the economic security and monetary stability of India which constitute terrorist Act, having Interstate and International ramifications, along with other accused persons.

18. Charge:

██████████ son of ██████████, resident of Village-██████████ Police Station ██████████, District- ██████████ (A-2), Under sections 489 B, 489 C, 120 (B) of IPC, sections 16 18 & 20 UA (P) Act, 1967, as amended.

19. The prosecution sanction, under section 196 of the Code of Criminal Procedure, 1973 and Section 45(1) of the Unlawful Activities (Prevention) Act, 1967, as amended, have been obtained from the Central Government vide order no. 11011/09/2016-IS-IV Government of India, Ministry of Home Affairs, New Delhi under sections 120 B of the IPC and sections 16, 18 & 20 of the UA (P) Act 1967 dated 05.10.2017.

20. It is, therefore, prayed that this Hon'ble Court may be pleased to take cognizance of the offences as mentioned above and issue process to the accused person to stand trial in accordance with the provisions of law.

21 | Dispatched on –

22 | Number of enclosures- 4

23	List of enclosures-	Annexure I-	List of Witnesses.
		Annexure II-	List of Documents.
		Annexure III-	List of Material objects
		Annexure IV-	Original Prosecution Sanction Order.

24. Further investigation will continue under the provisions of section 173 (8), CrPC, against the remaining accused.

Submitted.

██████████
Dy. SP/CIO, NIA Lucknow

Forwarded by:-

