



Name: Kamal Ahmad Ansari

Age: 44 years

Occupation: Business

Res. Address: village post basupatti, budri bazar, madhibani Bihar.

The written statement submitted by Kamal Ahmad Ansari in the Moca Court is as follows:

The Mumbai-based ATS (Anti Terrorism Squad) has implicated me in a fake terror case. The fact I want to share with the court is that it was on 10th of July, 2006 that, I sent a religious-based SMS to my brother-in-law (sister's husband) namely Mumtaz Chaudhri and, at the behest of my friend, Badi Badiuzzaman, I forwarded the same SMS to his brother, Qamruzzaman on the same day. But, who could imagine that it would cause to make hell of my life as a Mumbai Train blast occurred on 11th of July, 2006. It was then that ATS allegedly picked up my brother-in-law, Mumtaz Ahmad Chaudhri and Qamruzzaman and compelled them to reply the questions related to SMS. Mumtaz Chaudhri told ATS that the SMS was sent by his brother-in-law, Kamal Ahmad Ansar (myself) and also gave my address to the police.

It was on 19/07/2006 at 10:30 pm that I was driven to Patna by ATS. They discovered not even the black powder (gunpowder) from my house. All that they got from me is my Mobile and driving license which I always kept with me. That night about 6-7 policemen allegedly arrested me from my house and took me to Patna by TATA SOMO. Khalid Azeez was picked up from Madhubani while I was led to Mumbai by a flight with a strip tied on my eyes.

Then, I was taken to Chandan Chowki ATS where I was inflicted with 3rd degree torture. From there I was taken to Kala Chowki ATS and, there too, I was constantly beaten by them badly. At Kala Chowki, I was shown a few photos of some people. The ATS executives assigned to me some short fabricated stories and force me to read and remember them by heart after which they were shot and recorded by a camera.

Below is the exchange of talks which took among us:

Respected Judge: I went to Nepal on 11/07/06 to visit my relatives the evidence of which exists in the entry-register of Nepal border as my license and two wheeler No.

Name: Kamal.

Bike: BR 32A-7377.

License No: 2044.

Driver Name: Abdul Qayyum.

Border Address: Jatthi Lagma Phansar, Janakpur, Nepal.

Respected Judge: As the marriage of my nephew was to be solemnized on 10/07/06, I was getting a goat slaughtered. The name of the slaughterer was Akhtar and I had its meat distributed among my Hindu and Muslim friends.

Since the marriage of my nephew's sister was held on 10/07/06 in which the attendants discussed with me as among them there were some of my relatives and well-acquainted with each other. Even on 11/07/06, I was in my village called, Basopti and later went to Nepal to visit my relatives for about four hours.

Respected Judge: I came to Mumbai for the first time and that too along with ATS while never before have I seen Mumbai in my lifetime.

Respected Judge: Having employed 3rd degree torture, ATS policemen began to tempt me saying, "You must be ready for this false charge and we will give you a lot of money." They told me that they will give me about four lakhs if I agree to be an official witness. But, when I rejected this offer, ATS tried to tempt my co-accused to be given money and flats while the ATS Chief, P Raghuvanshi even threatened to implicate our family members in the same charge. The same threat still continues on their part, the complaint of which has been logged (in the court) by accused number 2 and 6, Dr. Tanveer and Muhammad Ali respectively.

Respected Judge: ATS has made all possible attempts to conceal the facts like not submitting the CDR of my Mobile in the court. But, I still have CDR and CDR Location of my Mobile No. 9934610679 which has been received through RTI and presently intend to produce before the court as it stands as the evidence of my innocence as well as that of my presence in my village named Baspoti on 11/07/2006.

Respected Judge: I don't know any one of the co-accused in this case nor acquainted with them. However, for the first time I had seen them in the detention of ATS while I don't their addresses too. But, the ATS members would show me their photos.

Respected Judge: I haven't given any (confession) statement in this regard. I was forced to sign the blank papers having inflicted 3rd degree torture upon me and a video of me was also shot in which I was compelled to utter and get recorded the script I was given to read that is totally fake. The fact is that I haven't yet gone through the T.I.P. round. On the other hand, I was taken out (of Indah-barrack under the title of TIP) at 1:30 and was again locked in Indo-barrack at 1:50.

Respected Judge: I was given 3rd degree torture by ATS and forced to tell a lie before the senior officers like AN Rai and P Raghuvanshi and so on. They would give me a script and ask me to learn it by heart. I was harshly tortured in case of refusing to do so. I had also submitted a detailed report in Moka Court on 09/11/2006.

Respected Judge: I had also lodged a verbal complaint to Mr. S.S. Shinde in the Quila Court upon which he remarked that he would accept it only if it is recorded. Then, he took my signatures on a paper which had something written on it that I was not able to understand.

Respected Judge: I had also lodged a verbal complaint to Judge Mrs. M.R. Bhatkar in Moka Court about being tortured with 3rd degree and forced to sign the blank papers by ATS on 09/11/2006.

Respected Judge: I have also lodged a complaint in written form for being tortured with 3rd degree and my family being threatened to be charged and pressured to agree to be an official by ATS on 09/11/2006.

Respected Judge: I have been never to Pakistan. It is nothing but a fabricated story of ATS to implicate me in this case. The ATS executives told me that they were doing so because of being pressurised right from the above.

Respected Judge: I am innocent and, in order to prove it, I have the details found in United News (www.united-news.in) in the form of zerox copy about CDR Location of my mobile number recorded in the Nepal Border Register which I am about to submit in the Moka Court. In fact, all the charges levelled against me by ATS are false and fabricated.

That's all I have to give as a verbal statement.

18/07/2012

Kamal Ahmad Ansari

The verification of Kamal Ansari's Statement:

The accused, Kamal has repeatedly declared himself as an innocent in this statement. Now the reply to the question why the Mumbai based ATS has implicated him in such charge living far away in Bihar is found in Kamal's statement itself.

The complexity of a religious-based SMS:

It is but co-incidence that Kamal had sent a religious-based message to a number of his relatives and friends through his mobile from the Nepal Border right on the day when serial railway bomb blasts took place in Mumbai. After the bomb blasts, while the investigation agencies were engaged in scrutiny, they came across a "particular" religious-based SMS circulated by a certain mobile. So, just then, the resident of Mumbai, Mumtaz Ahmad Chaudhri, who received the SMS, was arrested along-with Qamruzzaman by ATS. They continued enquiring them of the SMS. They told them that it was sent by one of their very religious-minded relatives namely, Kamal Ansari. Thus, having reached Bihar, ATS arrests Kamal Ansari, the main sender of the SMS. You might be remembering that the first person to be arrested in charge of 07/11 case was Kamal Ansari. Besides him, two other people called Mumtaz Ahmad Chaudhri and Khalid Azeez Shaikh are also arrested. The main objective behind torture is just to know the real message lying in the SMS and what relation it has with 07/11 crime. Hence, the SMS is also decoded.

When the writer (myself) asked Kamal Ansari what the message contained, he replied that it consisted of the prayer. Having liked it, he forwarded the same message to many people. The message is as follows:

“May Allah, the Almighty grant you patience as that of Hazrat Ayyub (A.S.)! May you have beauty as that of Hazrat Yousuf (A.S.)! May you are endowed with faith as that of Hazrat Ibrahim (A.S.)! May you are crowned with an obedient son like that of Hazrat Ismail (A.S.)! May you are blessed with noble character as that of Hazrat Muhammad (S.A.W.)!

Despite torturing a lot and knowing the fact that the message contained nothing objectionable, the police didn't leave Kamal Ansari as it had already discovered gunpowder (RDX) from his house following a well-planned conspiracy. Therefore, Mumtaz Chaudhri and Khalid Shaikh were discharged from the case. Besides them, Tafheem Akmal Hashmi too was discharged from the case by ATS. It was Tafheem who was summoned in the court as a witness by ATS while Mumtaz and Khalid were not. Even the message of Kamal is not presented in the court yet. It was merely based on the suspicion of a message that Kamal was arrested. But, he is not released so far even after the doubt was cleared off.

Gunpowder was not found in Kamal's house:

According to ATS, the day Kamal was arrested, a bag of gunpowder was discovered lying under a table when probe was conducted in his house following the order of Supreme Court and in view of the legal principle. The police didn't get a satisfactory reply from Kamal when they asked him. Therefore, ATS carried that gunpowder to Mumbai. It was known after the investigation that it was RDX which was hidden in Kamal's house after the conspiracy of 07/11 case was hatched. A case of RDX exposure was formed in Madhubani after which it was intermingled with that of 07/11 case having filed a petition in the court.

You can see how partial is the Supreme Court's attitude. There are still many people awaiting the bail. Similarly, a number of cases are under suspension. But, the court has no time to address them. These people have been yearning for justice for a long period of time. On the contrary, when any case or petition linked with terrorism is presented in the court by police, it is the police who are given priority keeping aside all other things while the accused are not even informed about it. No heed is paid to the accused or lawyer.

Now the question is that if it was RDX and it has a link with 07/11 case, then how come it remained? And why was it kept in the house later? How can a person keep such a dangerous thing openly in his house? How was it kept for such a long period of time? The fact, in fact, is that nothing like gunpowder was found from Kamal's house. The police can discover RDX ammunitions as and whenever they wish from anyone's house. We shall deal with the subject further.

Where was Kamal at the time of bomb blast?

According to ATS, on the day of bomb blast i.e. on 11/07/06, Kamal was in Mumbai and he had himself placed a black bag containing bomb in a local train which caused a bomb blast in Matunga. As a matter of fact, Kamal was not in Mumbai on 11/07/06, rather he was in Madhubani and on the same day he had gone to Nepal Border. To substantiate the same fact, Kamal came up with two important evidences as: (1) CDR of his mobile (2) Papers of Nepal Border.

CDR of Mobile Phone:

Since the ATS already realised that they failed to find out the real culprits of the same case, they began to implicate the innocents in this case. The ATS even checked the CDR and Location of each and every individual's mobile phone arrested in the same case. Despite knowing the fact that none of them was in Mumbai at the time of bomb blast, you can see the stubbornness of ATS that they prepared a fake charge-sheet and tried to prove that the accused was not only present in Mumbai but also involved in installing the bombs. On the other hand, ATS concealed the CDR of all accused's mobile phones and didn't present it in the court. As ATS already knew that the court is never supposed to demand the CDR from them nor the accused will be able to find it, they concocted a story and presented it in the court courageously. As they also know that the court is always in favour of the police.

Glory to Allah (S.A.T.) that, thanks to the law of (RTI), an information based on truth in form of CDR (Call Detail Record) of Kamal's mobile No. 9934610679 along-with its Location was received by the accused. The CDR of Kamal's mobile phone indicates that, on 11/07/06, Kamal was in Baspoti village, Madhubani, Bihar and near the Nepal Border for the whole day where he was calling through his mobile and receiving other's calls as well.

So, how is it possible that a person can be found in different cities at the same time while the same place is thousands kilo meter away from the spot of incidence? In fact, it is far impossible.

Since the mobile records are considered to be true, and as such, also acceptable in the court, and if the Kamal's mobile record is true, it is quite certain that ATS's statement about Kamal being in Mumbai is absolutely wrong. The CDR also reveals the fact that Kamal, despite being innocent, was illegally implicated in the false case by ATS.

Evidence of being present on Nepal Border:

Kamal also adds that, on 10/07/2006, he went to attend a marriage ceremony of one of his relatives. Similarly, he also went to Nepal Border for a few hours on 11/07/2006. He also got entry of his vehicle in his name over there. Thus, it was a legal tour to Nepal as Kamal didn't conceal his identity nor he went with a fake name. ATS also knew that Kamal was in Nepal on the same day as they might have checked the whole record on the Border. ATS had already warned the Indian police and executives on the Nepal Border that they should not give the record if it is demanded by the accused. It is for this reason that, despite all possible attempts,

the accused didn't succeed to find his record. But, on the other hand, the United-News in Media issued the same documents for the masses. According to the News, ATS is totally wrong in its claim about Kamal being present on Nepal Border on the same day (of bomb blast).

The accused, having received all the documents, presented them in the court.

Just consider how Prosecution rectifies its mistakes:

Firstly, the ATS seized the mobiles of all accused and concealed their CDRs. But, the moment the accused succeeded to present the CDRs in the court, the prosecution began to say that mobile is not a part of the body and it doesn't necessarily mean that the accused should be where there is a mobile. Though it was a good logic, the prosecution could not present even a witness in the case which could prove that the mobile was given by this accused to another person and he was using the mobile on the same day (of bomb blast) while the accused was not present over there.

The ATS was quite sure that they will never provide the accused with their mobile CDRs nor they will let them succeed in getting it. Hence, they didn't prepare any fake witness against them in this regard which could prove that, on 11/07/06, an accused gave that mobile to another accused and he was using the same mobile.

However, when the ATS realised their mistake, they rectified it in the next case. It was the same ATS which, in German Bakery Bomb Blast, illegally arrested the innocent person namely Mirza Himayat Beig. While the fact is that, at the time of bomb blast, he was in another city. They had already decided not to let the accused be released even if he succeeded in getting his mobile CDR along-with its location. Therefore, the police, having threatened, had already prepared such witnesses for German Bakery Case who say that the accused went after giving this mobile to him (the witness) and instructed him to keep the mobile on and receive the calls. Now, there is nothing to be feared if the ATS presents the CDR location of the mobile in the court.

You can see how the police implicate the innocent Muslims in fake cases and how they strengthen further the new case after rectifying their mistakes so that no innocent Muslim can ever be acquitted. On the other hand, it is we Muslims who are never ready to take lesson from such false cases. Nor ever we try to know how to avoid repeating the same mistakes committed by the accused in earlier cases so that we could be acquitted from such false cases as soon as possible. The main reason to compile the present book is that, people in general, and youth in particular, might read it and fully comprehend the reality of the false cases based on it.

Confession made by Kamal Ansari:

Since Kamal is a man of poor knowledge, and hence he could not realise that he was forced to sign being kept in dark. It was when the accused was presented before the magistrate in the Quila Court Mumbai that the accused came to his

senses and he began to cry bitterly begging the magistrate that he was innocent and he committed no crime. Kamal outright rejected the allegation when he was accused by the magistrate through a confession based on 07/11 railway bomb blast and it was under a conspiracy that he made bombs on the instance of SIMI, Lashkar-e-Taiba with the help of Pakistanies and it was he who installed these bombs in a local train. Kamal rejected all these accusations saying that, on 11/07/06, rather than being in Mumbai, he was in Bihar. Then, the magistrate cut off all the part of the 07/11 bomb blast and sent the copy of confession to Moka Court.

The Chief Metro Police Magistrate (CMM), Mr SS Shirke opened the confession made by Kamal and read its text to him and cut off the concocted text after Kamal told the reality. When the ATS came to know it, they sent one of their officers namely Wissant Tajne to the magistrate to discuss the same. It was then that he succeeded in taking the magistrate in favour of ATS. Hence, the latest 6 accused of the same case with their confessions were presented before the same magistrate. But, he never read those confessions to any accused and paid no heed to the accused when they tried to prove their innocence.

Magistrates to be sold off:

Surely, these days, magistrates are to be sold off and it is easier to bargain for them. You can easily buy all the judges of court from lower to the upper grade only if you own money and power. Since police are supposed to have both of them, they can do it easily and make them judge or do as they wish. We are not claiming it at random, rather, we have been witnessing the judges behaving in the same way for long. After the proceedings of Kamal's case was over, the ATS officer Wissant Tajne had been visiting the Quila Court repeatedly. He presented the log book in the court which reveals that he had been to Quila Court to meet the magistrate, Mr SS Shirke. There may be two possibilities: the ATS might have bought the magistrate through Tajne and told him that when he read the confession made by Kamal to him, he rejected his involvement in 07/11 case. He also assured him that, in the next case, he was supposed to meet about 10-12 accused involved in the same case. He also suggested him that if he was to read the confessions to the next accused and if all of them were to reject their involvement, it would definitely cause to expose their lies.