



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

**BEFORE THE
HONOURABLE SPECIAL COURT FOR N. I. A CASES
AT NAMPALLI, HYDERABAD**

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

STATE

V/s

RIYAZ BHATKAL AND OTHERS

- | | | |
|-----------|---------------------------------------|---|
| 1 | Name of the Branch | : National Investigation Agency, Hyderabad |
| | FIR No. | : RC 01/2013/NIA/HYD and RC 02/2013/NIA/HYD |
| | Year | : 2013 |
| | Date | : 14-03-2013 |
| 2. | Final Report/ Charge Sheet No. | : Charge Sheet No. 1 |
| 3 | Date | : 14-03-2014 |

- 4 Sections of Law** : **RC. No. 01/2013**:- Sections 302, 307, 120B of IPC; sections 3 & 5 of The Explosives Substances Act 1908; sections 16, 18 & 20 of The Unlawful Activities (Prevention) Act 1967 (as per FIR)
- RC. No. 02/2013**:- Sections 302, 307, 324, 326, 124A, 153A, 201 r/w 120B of IPC; sections 3 & 5 of The Explosives Substances Act 1908; Sections 16, 18 & 20 of The Unlawful Activities (Prevention) Act 1967. (as per FIR)
- 5 Type of Final Report** : 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** : 1. K. Sunil Emmanuel IPS
Superintendent of Police,
NIA, Hyderabad.
2. M. Venkatadri,
Dy. S. P, NIA,
Hyderabad.

9 Names of the Complainants/ Informants : Shaik Jani Pasha,
S/o Late Pasha Miya, age: 45 yrs,
Driver, APSRTC (Dilshukhnagar
City Depot Staff No.209582),
R/o. H. No. 2-3-603/70/42, Ahmed
Nagar, Patel Nagar, Amberpet,
Hyderabad.

Sri Gaddagolla Anand
S/o Yadaiah, aged 35 Yrs.,
Occ: Business, (Sri Mona
Communications & Anand Music
Centre) R/o H.No.9-41/1,
Dwarakapuri Colony,
Dilsukhnagar, Hyderabad.
Ph: 9849154107

10 Details of properties/ Articles /Documents Recovered/ seized during Investigation and relied Upon. : As per Annexure II & III.
List enclosed.

11. PARTICULARS OF ACCUSED PERSONS CHARGE SHEETED:

1) Asadullah Akhtar @ Haddi @ Tabrez @ Daniyal @ Asad (A-2)

- | | | |
|---|------------------|--|
| 1 | Name | - Asadullah Akhtar @ Haddi @ Tabrez @ Daniyal @ Asad (A-2) |
| 2 | Whether verified | - Yes |

3	Age	- 28/2013 Years
4	Father's name	- Dr. Javed Akhtar
5	Sex	- Male
6	Nationality	- Indian
7	Passport details	- 1. Passport of Bangladesh (in the name of Mamun-ur-Rashid, S/o Harun-ur-Rashid. - 2. Passport of Pakistan in the name of Haider S/o Qasim or Zafar.
8	Occupation	- Completed his Education in B.Pharmacy in 2008 from Integral University, Lucknow.
9	Address (present)	- R/o H.No. 536, Near Ghulami ka pura (216 Baaz Bahadur), behind Tediya Masjid, PS - Kotwali, Dist Azamgarh, U.P.
10	Address(Permanent)	- R/o H.No. 536, Near Ghulami ka pura (216 Baaz Bahadur), behind Tediya Masjid, PS - Kotwali,

Dist Azamgarh, U. P.

- | | | |
|----|---|---|
| 11 | Whether verified | - Yes |
| 12 | Provisional Criminal No | - Not known |
| 13 | Regular Criminal No.(If known) | - Not known |
| 14 | Date of arrest | - 17-09-2013 |
| 15 | Date of release on bail | - In judicial custody |
| 16 | Under Act and Sections
(of charge sheet) | - Under sections 302, 307, 324, 326, 121, 121A, 122, 201 read with section 120B of IPC; sections 3 & 5 of The Explosives Substances Act 1908; sections 10, 16, 17, 20, 38 (2) and 39 (2) read with section 18 of The Unlawful Activities (Prevention) Act 1967. |
| 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 - In judicial custody

2) Mohammed Ahmed Siddibapa @ Yasin Bhatkal @ Sharukh (A5)

- 1 Name - Mohammed Ahmed Siddibapa @ Yasin Bhatkal @ Sharukh.
- 2 Whether verified - Yes
- 3 Age - 30/2013 Years
- 4 Father's name - Mohammed Zarar Siddibapa.
- 5 Sex - Male
- 6 Nationality - Indian
- 7 Passport details - E-4682509 issued on 19.06.2003(Old P.P. No. A 0030942)
- 8 Occupation - Business (Before Joining the IM).
- 9 Address (present) - House No. 938, S. M.Zarrar Manzil, Jaali Road, Magdoom Colony, Bhatkal, Uttar Kannada District Karnataka, India.

- | | |
|---|--|
| 10 Address(Permanent) | - House No.938, S.M.Zarrar Manzil, Jaali Road, Magdoom Colony, Bhatkal, Uttar Kannada District Karnataka, India. |
| 11 Whether verified | - Yes |
| 12 Provisional Criminal No | - Not known |
| 13 Regular Criminal No.(If known) | - Not known |
| 14 Date of arrest | - 21-09-2013 |
| 15 Date of release on bail | - In judicial custody |
| 16 Under Act and Sections (of charge sheet) | - Under sections 302, 307, 324, 326, 121, 121-A, 122, 212 read with section 120B of IPC; sections 3 & 5 of The Explosives Substances Act 1908; sections 10, 16, 17, 19, 20, 38 (2) and 39 (2) read with section 18 of The Unlawful Activities (Prevention) Act 1967. |
| 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 - In judicial custody.

12. PARTICULARS OF THE ACCUSED PERSONS NOT CHARGE SHEETED:

**1) Mohammad Riyaz Bhatkal
S/o Ismail Shahul Hammed Shahbandri (A-1)**

- 1 Name - Mohammad Riyaz @ Riyaz Bhatkal @ Ismail Shahbandri @ Riyaz Ismail Shahbandri.
- 2 Whether verified - Yes.
- 3 Age - 38 years.
- 4 Father's name - Ismail Shahul Hammed Shahbandri.
- 5 Sex - Male
- 6 Nationality - Indian
- 7 Passport details - Not Known
- 8 Occupation - Not Known
- 9 Address (present) - Karachi, Pakistan.
- 10 Address(Permanent) - R/o Fatima Manzil,

Tenginagundi cross,
Madina Colony, Bhatkal, Dist:
Uttarkannada, Karnataka-
228132.

- | | |
|---|------------------|
| 11 Whether verified | - Yes |
| 12 Provisional Criminal
No | - Not known |
| 13 Regular Criminal
No.(If known) | - Not known |
| 14 Date of arrest | - Not Arrested |
| 15 Date of release on
bail | - Not Applicable |
| 16 Under Act and
Sections (of
charge sheet) | - Not Applicable |
| 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 |

**2) Waqas @ Javed @ Ahmed @
Nabeel Ahmed (A-3)**

- 1 Name - Waqas @ Javed @ Ahmed @ Nabeel Ahmed.
- 2 Whether verified - Yes
- 3 Age - 25/2013
- 4 Father's name - Not known
- 5 Sex - Male
- 6 Nationality - Pakistani.
- 7 Passport details - Not Known
- 8 Occupation - Not Known
- 9 Address (present) - Last Known Address –
Flat No.301, 3rd Floor,
Zephyr Heights Apartments,
Attavar Road, Near KMC
Hospital, Mangalore, Karnataka.
- 10 Address(Permanent) - Pakistan.
- 11 Whether verified - Yes
- 12 Provisional Criminal
No - Not known
- 13 Regular Criminal
No.(If known) - Not known
- 14 Date of arrest - Not Arrested

- | | | |
|----|--|------------------|
| 15 | Date of release on bail | - Not Applicable |
| 16 | Under Act and Sections (of charge sheet) | - Not Applicable |
| 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 |

**3) Mohd. Tahseen Akhtar @ Hassan @ Monu
S/o Mohammad Waseem Akhtar (A4)**

- | | | |
|---|------------------|--|
| 1 | Name | - Mohammed Tahseen Akhtar @ Hassan @Monu |
| 2 | Whether verified | - Yes |
| 3 | Age | - 25/2013 |
| 4 | Father's name | - Mohammad Waseem Akhtar |
| 5 | Sex | - Male |
| 6 | Nationality | - Indian |
| 7 | Passport details | - Not Known |

- | | | |
|----|--|--|
| 8 | Occupation | - Student |
| 9 | Address (present) | - R/o Maniarpur, PO - Muktapur,
PS-Kalyanpur,
District- Samastipur, Bihar. |
| 10 | Address(Permanent) | - R/o Maniarpur, PO - Muktapur,
PS-Kalyanpur,
District- Samastipur, Bihar. |
| 11 | Whether verified | - Yes |
| 12 | Provisional Criminal
No | - Not Applicable |
| 13 | Regular Criminal
No.(If known) | - Not Applicable |
| 14 | Date of arrest | - Not Arrested |
| 15 | Date of release on
bail | - Not Applicable |
| 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 |

13. (i) Particulars of Witnesses examined	Separate list attached as Annexure-I
(ii) List of Articles	Separate list attached as Annexure-II (List of documents) and Annexure-III (List of Material objects)
14. If FIR is false, action taken	Not Applicable
15. Result of Laboratory Analysis	As per the list enclosed in Annexure-II

16. BRIEF FACTS OF THE CASE:

16.1. The Indian Mujahideen, an association declared as Unlawful association as per the provisions of the Unlawful Activities (Prevention) Act 1967, initially started as a small group called as 'Usaba' in Bhatkal, Karnataka State. In Arabic, 'Usaba' means 'congregation'. According to the accused, it is a group of men, with more than 11 members but less than 40 and according to the accused

Md. Ahmed Siddibapa (A-5) "the main object of *Usaba* is to collect the persons having same mentality and dedication to do something". Objectives of the Bhatkal Usaba included waging jihad or holy war against the Hindus, other communities and the Indian State. He further explained that 'Jihad is an obligation from God to his servants to establish Islamic society', which is against the democratically elected government established as per the Constitution of India. It is revealed that the other members of the group were Iqbal Bhatkal, Riyaz Bhatkal, Jasim, Shabbir, Sajid, Afeef, Gora Ismail @ White Uncle, Sultan, Tariq Anjum and Fasih Mahmood apart from the accused Md. Ahmed Siddibapa. *Usaba* meetings were held on regular basis (generally on every Friday) in the house of Iqbal Bhatkal, in which issues like weapon training, finance, talent spotting, spiritual discourse and other matters pertaining to procurement of logistics were discussed. Later it expanded its operations also to Azamgarh, Pune and other places in India. The group did not assign a suitable name until they sent the email claiming the Uttar Pradesh Courts Blasts (2007) to the media. The media picked up the term 'Indian Mujahideen' mentioned in the email instantly, and the nomenclature of 'Indian Mujahideen' was given to the outfit. Thus, the operatives adopted the name Indian Mujahideen, as they liked it, with a designed logo.

16.2. The role of the Indian Mujahideen in the commission of terrorist incidents was revealed for the first time through the aforesaid email sent to certain media channels/news networks, immediately after the bombings in the courts of Varanasi, Faizabad (Ayodhya) and Lucknow in Uttar Pradesh on 23.11.2007. Through this email, the Indian Mujahideen also claimed the responsibilities for the earlier terrorist incidents which occurred at Varanasi on 7.3.2006,

Mumbai Serial Blasts dated 11.7.2006 and the Hyderabad Twin Blasts at Gokul Chaat and Lumbini Park dated 25.8.2007. The group mentioned that the Babri Masjid demolition and Gujarat riots are the major reasons for adopting the violent path by them. The Indian Mujahideen through further emails also owned the responsibility of several other terrorist attacks which occurred in Jaipur on 13.5.2008, serial blasts in Ahmedabad on 26.7.2008 and serial blasts in Delhi on 13.9.2008 etc.

16.3. Subsequently, Indian Mujahideen had committed other bomb blasts which included the German Bakery blast in February 2010, Chinnaswamy Stadium blast in Bengaluru on 17th April 2010, Delhi Jama Masjid shoot out and blast on 19th September 2010, Varanasi blast on 7th December 2010, Mumbai serial blasts on 13th July 2011 and Pune serial blasts on 1st August 2012.

16.4. It was in the above background, on 21.02.2013 at 18:58:38 hrs and 18:58:44 hrs two consecutive bomb blasts took place at Dilsukhnagar, Hyderabad, resulting in the death of 18 persons and injuries to 131 persons. The first blast took place at 18:58:38 hrs near 107 Bus Stop, Dilsukhnagar in the limits of Malakpet PS, Hyderabad city. A case in Cr. No. 56/2013 under sections 302, 307, 120B of IPC, sections 3 and 5 of The Explosive Substances Act 1908 was registered. The second blast took place at 18:58:44 hrs near A1 Mirchi Centre, Dilsukhnagar in the limits of Saroornagar PS, Cyberabad City. Saroornagar PS, Cyberabad registered a case as Cr. No. 146/2013 under sections 324, 326, 307, 302, 124A, 153A, 201, r/w 120B IPC, sections 3 & 5 of The Explosive

Substances Act 1908 and sections 16, 17 & 18 of the UA (P) Act 1967 in this regard.

16.5. Sh. Sathyanarayana, Police Inspector, Malakpet PS. initially investigated the Cr. No. 56/2013 of Malakpet PS. After incorporation of sections 16, 17 & 18 of the UA (P) Act, the investigation was taken over by Sh. Jagannadha Reddy, ACP, CCS, Hyderabad City on 25.02.2013. Sh. Venkateshwarlu, ACP, CCS, Cyberabad investigated crime No. 146 /2013 of Sarooragar PS.

16.6. Having regard to the gravity of the cases, the Government of India decided the cases to be investigated by the National Investigation Agency (NIA) and as per the order vide MHA F. No. 11011/14/2013-IS-IV dated 13th March 2013, the Government of India directed the N I A to investigate the above cases. NIA had re-registered the cases as RC No. 01/2013/NIA/HYD & RC No. 02/2013/NIA/HYD on 14.03.2013 and the NIA Office, Hyderabad had investigated the cases.

16.7. During the investigation of this case, a team from NIA had arrested two important activists of the Indian Mujahideen, the accused Asadullah Akhtar @ Haddi (A-2) and Mohammed Ahmed Sidibapa @ Yasin Bhatkal (A-5) on 29.8.2013 from Raxaul, Bihar in connection with the ongoing investigation of case RC. No. 06/2012/NIA/DLI. They produced the accused initially before the nearest court and later brought them under transit remand and produced before the Hon'ble Spl Court for NIA Cases, New Delhi.

16.8. During the interrogation of the two arrested accused persons, involvement of both of them along with the other absconding accused, in the commission of the Hyderabad bomb blasts was revealed apart from their involvement in several other cases from many parts of India. Therefore, a memo was filed before this Hon'ble Court stating that the involvement of these accused Asadullah Akhtar @ Haddi (A-2) and Mohammed Ahmed Sidibapa @ Yasin Bhatkal (A-5) respectively in the present case, along with the names of other absconding accused.

16.09. It is also revealed through the investigation that the other accused involved in the offence are Mohammad Riyaz @ Riyaz Bhatkal @ Ismail Shahbandri (A-1), Waqas @ Javed @ Ahmed @ Nabeel Ahmed (A-3) and Mohd. Tahseen Akhtar @ Hassan @ Monu (A-4).

16.10. After obtaining permission from the Hon'ble Spl Court for NIA Cases, Patiala House, New Delhi, accused Asadullah Akhtar (A-2) was formally arrested by the investigating officer of the present case on 17.9.2013 within the premises of that Court, produced him before that Court and obtained transit warrant for causing his production before the Hon'ble NIA Special Court at Hyderabad.

16.11. Thereafter, accused Asadullah Akhtar (A-2) was produced before Hon'ble NIA Special Court at Hyderabad on 19.9.2013. On the request of CIO, this Hon'ble Court granted Police custody of Asadullah Akhtar (A-2) from 20.9.2013 to 8.10.2013.

16.12. Similarly, after obtaining permission from the Hon'ble Special NIA Court for NIA Cases, New Delhi, accused Mohammed

Ahmed Siddibapa (A-5) was also formally arrested on 21.9.2013 and transit warrant was obtained for producing him before the Hon'ble NIA Special Court at Hyderabad.

16.13. Accused Mohammed Ahmed Sidibapa @ Yasin Bhatkal (A-5) was produced before the Hon'ble NIA Special Court at Hyderabad on 23.9.2013. On the request of CIO, this Hon'ble Court granted Police custody of Mohammed Ahmed Siddibapa (A-5) from 24.9.2013 to 8.10.2013.

16.14. Both the above two accused were produced back before the Hon'ble NIA Special Court at Hyderabad after completion of their police custody. Presently both the accused are in judicial custody.

17. FACTS DISCLOSED DURING THE INVESTIGATION:

17.01. The 'Indian Mujahideen' (IM) has committed criminal conspiracy to commit terrorist acts in India:-.

Investigation has established that Indian Mujahideen operatives, Mohammad Riyaz @ Riyaz Bhatkal @ Ismail Shahbandri (A-1), Asadullah Akhtar (A-2), Waqas @ Javed @ Ahmed @ Nabeel Ahmed (A-3), Mohammed Tahseen Akhtar @ Hassan @ Monu (A-4) and Mohammed Ahmed Siddibapa @ Yasin Bhatkal @ Sharukh (A-5) have entered into a criminal conspiracy for waging war against the Government of India. As part of waging war against India, they had decided to commit terrorist attacks to kill innocent people, to disrupt the security of India and to create terror and insecurity feelings in the minds of the common people, which are acts prejudicial to the integrity and sovereignty of India. With a view to accomplish their

intention, they had decided to conduct bomb explosions in India. The Indian Mujahideen (IM) is receiving financial and material assistance from the Inter Services Intelligence (ISI), backed by the Government of Pakistan, which is providing shelter to several absconding senior operatives of the IM in Karachi and in other places in Pakistan. The role of several operatives of the Indian Mujahideen in planning and commission of many terrorist incidents in different parts of India also has been revealed.

17.02. Arrival of Asadullah Akhtar @ Haddi @ Tabrez @ Daniyal @ Asad (A-2) and Waqas @ Javed @ Ahmed @ Nabeel Ahmed (A-3) to India:- Investigation has established that, in pursuance to the conspiracy and as per the direction and motivation of the Riyaz Bhatkal (A-1), Asadulla Akhtar (A-2) and Waqas (A-3) had come to India via Nepal in the month of September 2010 after receiving Terror training in Pakistan. In Nepal, Tahseen Akhtar (A-4) received both of them. Thereafter all the three accused (A-2 to A-4) reached Samastipur in Bihar, where Yasin Bhatkal (A-5) was residing in his hideout. Subsequently, they had committed different terrorist attacks in Delhi, Varanasi, Bombay and Pune. Thereafter all of them were residing in India and Nepal by taking hideouts at different places.

17.03. Finding shelter place in Mangalore: - Investigation has established that in the month of September 2012, as per the directions of Riyaz Bhatkal (A-1), Asadullah Akhtar (A-2) and Waqas (A-3) moved from Belgaum to Mangalore. In Mangalore, Asadullah Akhtar (A-2) searched for a rented house in the outskirts of Mangalore by staying in different lodges. He found a suitable flat in an apartment building near Hampankatta by name "Zephyr heights"

at Attavar Road, Mangalore. Asadullah Akhtar (A-2) joined in the Flat in November 2012 along with Waqas (A-3). On the directions of the Flat owner, LW- 220, Asadullah Akhtar (A-2) approached an advocate and executed lease agreement on 12th November 2012 in the name of 'Daniyal'. Eye witnesses had identified in Test Identification Parade before the Judicial Magistrate of First Class that the person who stayed in this flat was Asadullah Akhtar (A-2).

17.04. Further conspiracy through web chatting:- During their stay at Mangalore, both Asadullah Akhtar (A-2) and Waqas (A-3) used to contact Riyaz Bhatkal (A-1) through online chatting from the internet centres namely Falnir Cyber point, Angel Cyber Gallery and Cyber Fast situated at Mangalore. Asadullah Akhtar (A-2) always used proxy servers for chatting by using required software or by manual setting. It is also established that the software used are 'Freemove', 'Securitykiss' (paid proxy server) and 'ultra surf'. The owners and caretakers of the Cyber cafes (LW-229, LW-230 and LW-231) have identified Asadullah Akhtar (A-2) as the person who used their internet facility, during TIP conducted by the Judicial Magistrate of First Class.

17.05. Arranging Finances for the Blasts:- In order to raise finance for the bomb blast the accused had resorted to Hawala and the Western Union Money Transfer facilities. While Asadullah Akhtar (A-2) and Waqas (A-3) were staying in Mangalore, Riyaz Bhatkal (A-1) had sent Rs 1,00,000/- (one lakh rupees) through a hawala dealer and the same was delivered by LW-222 to Asadullah Akhtar (A-2). Later, during investigation it was established that Asadullah Akhtar (A-2) is the person who received the cash. During investigation

Asadullah Akhtar (A-2) had pointed out the shop from where they had received the Hawala money.

Investigation has established that Riyaz Bhatkal (A-1) also used to send money through Western Union Money Transfer. Asadullah Akhtar (A-2) and Waqas (A-3) together went to the Western Union Money Transfer office and by using fake identity card, Waqas (A-3) received this money. The money sent by Riyaz Bhatkal (A-1) through Western Union Money Transfer was received by Waqas (A-3) using fake identity from Supama Forex Pvt Ltd, a Western Union Money Transfer outlet, situated at Hampankatta circle. In the same manner, Waqas (A-3) had received money through VKC Credit and Forex Services Ltd, Ganesh Mahal Complex, first floor, K S. Rao Road, Hampankatta, Mangalore and from C S Tours and Travels. During the receipt of the amount from Supama Forex Pvt. Ltd, Asadullah Akhtar (A-2) was also present along with Waqas (A-3). From all these WUMT outlets, the forged identity card submitted by Waqas (A-3) and documents pertaining to the transactions were seized. The LW-232 had identified in TIP Asadullah Akhtar (A-2) as the person who came along with the other to receive the money from the outlet.

It is also established that on 3.11.2012, Asadullah Akhtar (A-2) along with Waqas (A-3) visited M/s Supama Forex Ltd and received an amount of Rs 25,006.68. Waqas (A-3) had received Rs 25,000.00 each from VKC Forex Ltd, on 26.2.2013, on 20.03.2013 and on 12.04.2013 respectively. Waqas (A-3) received Rs 25,000.00 each from CS Tours and Travels on 13.07.2013 and on 29.08.2013. Also he received Rs 16,364.00 from CS Tours and Travels on 08.08.2013. The details of transaction was produced by 'WEIZMANN FOREX LTD',

Mumbai. All these transactions originated from the United Arab Emirates(UAE).

17.06. Delivery of Explosives by one Unknown person sent by Riyaz Bhatkal (A-1):- Investigation has established that during the month of January 2013, Riyaz Bhatkal (A-1) instructed Asadullah Akhtar (A-2) to purchase a new mobile phone to contact the person who delivers the explosives. Accordingly, Waqas (A-3) had purchased a mobile phone and SIM by using fake identity proof and photo. Asadullah Akhtar (A-2) had informed the same phone number to Riyaz Bhatkal (A-1) through chatting. Riyaz Bhatkal (A-1) instructed Asadullah Akhtar (A-2) to switch on that mobile on a particular day to receive information about the delivery of the explosive from that unknown person, who delivers the explosives.

In January 2013, Riyaz Bhatkal (A-1) informed Asadullah Akhtar (A-2) through chat that in a few days explosive material would be delivered in Mangalore and Asadullah Akhtar (A-2) was directed to carry out blasts in Hyderabad along with Waqas (A-3) and Tahseen Akhtar (A-4). As planned earlier, Asadullah Akhtar (A-2) received the explosive material from an unknown person in a golden colour trolley bag. The material was delivered near Unity Health Centre, Mangalore.

Investigation has further established that, after receiving the explosives, Asadullah Akhtar (A-2) took the explosive material to their rented flat in Zephyr Heights Apartments. They checked the trolley bag and found to be containing 300 tubes of semi-solid pinkish coloured ANFO of 100 grams each, and 50 numbers of detonators.

17.07. Finding shelter place in Hyderabad by Tahseen

Akhtar (A-4):- Investigation has established that as per the direction of Riyaz Bhatkal (A-1), Tahseen Akhtar (A-4) came to Hyderabad in the last week of January 2013 and searched for the shelter place near Abdullapurmet. On 6.2.2013, he met caretaker (LW- 206), of the house and took it on rent. On 7th February 2013, he had occupied the house. This fact is reflected in the chat communication between Riyaz Bhatkal (A-1) and Mohd. Ahmad Siddibapa (A-5). This is corroborated by the CDRs and tower location of the mobile phones used by them. (CDRs, SDRs and CAFs are enclosed). Asadullah Akhtar (A-2) and Waqas (A-3) also have joined this shelter place. LW-207, LW-211 and LW-218 had identified Asadullah Akhtar (A-2) as the person who shared accommodation with Tahseen Akhtar (A-4).

17.08. Asadullah Akhtar (A-2) Travelling to Hyderabad: -

Investigation has established that, on the instructions of Riyaz Bhatkal (A-1), Asadullah Akhtar (A-2) had booked his ticket in the name of one 'Danish' through VRL travel agency , Mangalore and left for Hyderabad on 9th February 2013 at about 2 P.M. and reached Hyderabad on next day around 8 AM. He got down at Kukatpalli area and contacted Tahseen Akhtar (A-4) from a nearby public telephone booth, and informed that he had arrived. Asadullah Akhtar (A-2) then proceeded to LB Nagar in an auto-rickshaw and after reaching LB Nagar contacted Tahseen Akhtar (A-4) from another public telephone booth situated near LB Nagar X roads at Broad Land Hotel. Thereafter, Tahseen Akhtar (A-4) had taken him to the shelter place situated at Abdullapurmet near Ramoji Film City. The fact of contacting Tahseen Akhtar (A-4) by Asadullah Akhtar (A-2) has been reflected in the CDRs of the phones available at the PCOs and the mobile phone used

by Tahseen Akhtar (A-4). Investigation has established that Asadullah Akhtar (A-2) was also satisfied with the choice of shelter place at Abdullapurmet since it is in an isolated place with many minority colleges, far from the city having convenience of national highway to escape. Thereafter Asadullah Akhtar (A-2) returned to Mangalore

17.09. Asadullah Akhtar (A-2) and Waqas (A-3) travelling to Hyderabad with Explosives: - it is also established through investigation that after staying in Hyderabad for 3 days, Asadullah Akhtar (A-2) left for Mangalore by ■■■ travels on 12th February by purchasing the ticket in the name of 'Danish'. He reached Mangalore on 13th morning. On 15th February 2013, he and Waqas (A-3) carried the explosive material from Mangalore in V■■■ travels and reached Hyderabad on 16th February. Two tickets were booked in the name of 'ANI' for this travel. They got down at Lakadi-ka-pul and reached LB Nagar by auto-rickshaw. From there, both the accused boarded a city bus, reached Abdullapurmet, and kept the explosive materials at the shelter place rented by Tahseen Akhtar (A-4). The travelling details of the accused from V■■■ Travels and SL Travels and the connected documents were seized. The fact of travelling of these accused has been reflected in the chatting communication of Riyaz Bhatkal (A-1) and Mohd. Ahmed Siddibapa (A-5). All the witnesses to these transactions were examined.

17.10. Reconnaissance in Hyderabad:- As per the instruction given by Riyaz Bhatkal (A-1) through chat, Asadullah Akhtar (A-2), Waqas (A-3) and Tahseen Akhtar (A-4) had conducted reconnaissance in the areas of Malakpet, Abids, Koti, Begum Bazar

and Dilsukhnagar. The fact of reconnaissance by Asadullah Akhtar (A-2), Waqas (A-3) and Tahseen Akhtar (A-4) in the above areas have been revealed through the tower location of the mobile phone (9911772066) used by Tahseen Akhtar (A-4) (this mobile was mainly used for chatting with Riyaz Bhatkal (A-1)). Within two days of their recce, they decided to plant the bombs in Dilsukhnagar in the evening around 7 PM. This place and time were selected, as the Hindu population in that area is more and large numbers of students used to gather in that area at that time.

17.11. Conducting test blast: - Investigation has established that two to three days before the blast, Asadullah Akhtar (A-2), Waqas (A-3) and Tahseen Akhtar (A-4) had conducted a test blast at a deserted place on a hill, around 5 to 6 kms away from A [REDACTED]. They went in an auto-rickshaw, got down from it on the main road, and walked along the hillock for about 20 minutes, searching for a suitable place to conduct the test blast. They selected a suitable place on the top of the hillock. For the test blast, they already had made all preparations at the shelter place itself. They conducted a test blast on the hill by making a pit. Based on the disclosure of the Asadulla Akhtar (A-2), on 28.09.2013, remnants of the detonators were seized from the test blast site in the presence of witnesses u/s 27 of Indian Evidence Act. These articles were sent to CFSL for analysis and the report is awaited. The e-mail chatting between Riyaz Bhatkal (A-1) and Mohd. Siddibapa (A-5) also reveals this fact.

17.12. Purchasing of two pressure cookers by the accused:-
It is established during investigation that, on 20.2.2013 evening Asadullah Akhtar (A-2), Waqas (A-3) and Tahseen Akhtar (A-4)

together went to [REDACTED], LB Nagar and purchased two 7 ½ litre capacity pressure cookers for making the IED by filling the explosives therein. LW-214, the son of LW-213, who sold the cookers, had identified Asadullah Akhtar (A-2) in TIP, as one of the persons who purchased the cookers. Samples of cookers were sent to DMRL (Defence Metallurgical Research Laboratory) for analysis along with the materials seized from the places of blasts. On forensic examination the expert opined that the component contained in the materials seized from the site nearly matches to the samples.

17.13. Purchasing of two old bi-cycles:- Investigation has established that, in order to plant the bomb, Asadullah Akhtar (A-2) and Tahseen Akhtar (A-4) had purchased an old bicycle for Rs. 1400/- from one cycle repairer, LW-210, found on the walk way near a mazaar, situated in between [REDACTED] Tower in Hyeabad, on 20.02.2013 at about 2 p m . They had taken the cycle to [REDACTED] parking stand and parked there. They took a receipt from the counter. Even though they tried to purchase yet another old bicycle on the same day, they did not get it. They decided to buy it on the next day from that market as somebody informed them that the same would be available on market day. Then they went to Lakadi-ka-pul at about 4 p.m. in an auto-rickshaw and booked return tickets for Waqas (A-3) and Asadullah Akhtar (A-2) in the name of 'Nabeel', through LW-215, to go to Bangalore on 21-02-2013 in SL travels. Thereafter they purchased one-meter plastic sheet from a shop near the Chadarghat Bridge for the purpose of packing and filling the explosives inside the pressure cooker. On the next day i.e., on 21-2-2013 morning, Asadullah Akhtar (A-2) and Tahseen Akhtar (A-4) left for purchasing another cycle from Thursday market leaving Waqas (A-3) at the shelter place to complete the preparation

of IEDs. At about 11.15 hrs Tahseen Akhtar (A-4) and Asadullah Akhtar (A-2) reached the T [REDACTED] market and came to know from an auto driver that the market is called as [REDACTED]. They purchased another old bicycle from one cycle seller (LW-209) for Rs. 1,500/- from a place near the Masjid, where old bicycles are available. From there, Asadullah Akhtar (A-2) and Tahseen Akhtar (A-4) went to Malakpet railway station cycle stand on the same cycle and parked it in the same cycle stand, where they parked the first cycle on the previous day. From there they went to Abdullapurmet house by an auto-rickshaw. LW-209 and LW-210, in TIP, had identified Asadullah Akhtar (A-2) as one of the persons who purchased the bicycles from them.

17.14. Preparation of IED: - it is also established during investigation that, on 21.02.2013 at about 4 P.M, while Asadullah Akhtar (A-2) and Tahseen Akhtar (A-4) were waiting outside the shelter place in A [REDACTED], Waqas (A-3) prepared the IED by setting the time for explosion as 7 P.M. After completing the preparation of IEDs, the remaining items viz; two digital watches, cooker handles and whistles of cooker and trolley bag used for carrying explosives were thrown in two different nearby places after damaging them.

17.15. Planting of the IEDs on two spots: - It is also established that, on 21.02.2013 at about 5 P.M., the accused had vacated the house. Tahseen Akhtar (A-4) informed the house caretaker, the LW-207 that he was leaving to Mumbai as his mother was in serious condition, and left the place after handing over the key of the shelter place to him. They reached LB Nagar X road in an auto-rickshaw carrying the IEDs. From there, they engaged an auto and

went to the cycle parking stand situated at Malakpet Railway Station. While Waqas (A-3) was waiting on the road with the IEDs and their baggage, Asadullah Akhtar (A-2) and Tahseen Akhtar (A-4) went inside the parking place and returned with the bicycles. The articles thrown out by the accused after using for preparation of IEDs were recovered u/s 27 of the Indian Evidence Act in the presence of witnesses, as per the statement of Asadullah Akhtar (A-2). The LW-216 in statement-recorded u/s 164 of Cr PC stated these facts.

It is also established in investigation that Asadullah Akhtar (A-2) directed both Waqas (A-3) and Tahseen Akhtar (A-4) to proceed to the blast spots. Asadullah Akhtar (A-2) waited near the place of occurrence until both the other accused complete their tasks. Thereafter, Waqas (A-3) met Asadullah Akhtar (A-2) after placing the bicycle at 107 Bus Stop, Dilsukhnagar, and Tahseen Akhtar (A-4) left the place directly after placing the bicycle mounted with the bomb at A-1 Mirchi Centre. The CCTV Footages available at [REDACTED]'s cloth shop and [REDACTED] situated near the 107 Bus Stop show that one person drawing a bicycle with a white box carriage and another person riding another bicycle with another white box carriage. The CCTV footage further shows the return of one of the persons without the bicycle. The CCTV footage was seized and produced before this Hon'ble Court.

17.16. Twin Blasts in Dilsukhnagar: - The IEDs so planted by the accused Asadullah Akhtar (A-2), Waqas (A-3) and Tahseen Akhtar (A-4) exploded at 18:58:38 hrs and 18:58:44 hrs on 21.02.2013. This incident created panic and terror amongst the public. The incidents resulted in the death of 17 persons and one unborn child in the womb of its mother. 131 people sustained both grievous and

minor injuries. The trauma that was created by the bomb blast is still persisting in the minds and life of the people. The injured as well as the deceased were immediately taken to different hospitals in Hyderabad. Both the Bicycles used in the commission of offence, 3 motor cycles and 1 scooter were completely damaged. 101 Bus Stop and A-1 Mirchi Centre were severely damaged apart from the damages caused to the other public and private properties in the surrounding area. All the debris and all other incriminating materials were seized in the presence of witnesses by the investigating officers concerned and forwarded to APFSL for analysis. All the dead bodies were subjected to inquest and post mortem examination. The medical officers concerned had handed over the splinters retrieved from the bodies of the deceased and the injured to the police and those were also sent for forensic examination. The post mortem certificates and the wound certificates were collected and are incorporated here with.

17.17. Return of the accused from Hyderabad: - It is also established that Waqas (A-3) and Asadullah Akhtar (A-2) left for Bangalore on the tickets booked earlier on 21.02.2013 night. After that, they travelled From Bangalore to Mangalore by Karnataka State Road Transport bus. As per the instructions of Riyaz Bhatkal (A-1) through chat, Asadullah Akhtar (A-2) left Mangalore for Bangalore to proceed to Nepal, while Waqas (A-3) stayed back in the same flat. After reaching Nepal, he met Md. Ahmed Siddibapa (A-5) who provided him shelter on the instructions of Riyaz Bhatkal (A-1). During his interaction with Yasin Bhatkal (A-5), Asadullah Akhtar (A-2) came to know that Mohammed Ahmed Siddibapa (A-5) had been taking part in the conspiracy of Hyderabad twin blasts. Mohammed Ahmed Siddibapa (A-5) was also closely monitoring their

activities along with Riyaz Bhatkal (A-1). He also helped Riyaz Bhatkal (A-1) in procuring the explosives for Dilsukhnagar twin blasts. These facts are evident in the chat communication held between Riyaz Bhatkal (A-1) Mohd. Ahmad Siddibapa (A-5).

17.18. Conspiracy through emails and chatting: - It is established during the course of investigation that the Asadullah Akhtar (A-2) had been using the method of chatting on Yahoo messenger through internet to communicate with Indian Mujahideen commanders Riyaz Bhatkal (A-1) and with Mirza Shadab Baig. He had created different accounts to chat with each one of them exclusively. Mirza Shadab Baig is from Azamgarh in UP and is the childhood friend of Asadullah Akhtar (A-2).

The accused Asadullah Akhtar (A-2) had used coded language to chat with both of them. His account 'spent_those11@ yahoo.com' was used to chat with Mirza Shadab Baig at his email address james_usually10 @ yahoo.com. In the chat with Mirza Shadab Baig Asadullah Akhtar (A-2) used to discuss about various operations, tasks assigned by the Indian Mujahideen commanders, arrangement of logistics, movement of IM cadres, arrangement of finance for funding their activities, internal meetings and politics of IM, the support given by the ISI and the Al-Qaida. They used to send files through encryption using 'Axcrypt' software. They used to install this application in their computer to encrypt the files.

It is also established that Asadullah Akhtar (A-2) used his email ID [REDACTED] to chat with Riyaz Bhatkal (A-1), the head of the group of Indian Mujahideen at his email ID [REDACTED]. In the chat with Riyaz Bhatkal (A-1), he used to discuss about various issues like plans to carry out action, logistics

arrangement, plans to tie up with Al Qaida, movement of IM cadres, finances of the Indian Mujahideen etc. He used code words for various people and places which were sometimes same as in the chat with Mirza Shadab Baig and sometimes different.

It is established during investigation through the disclosure of Asadullah Akhtar (A-2) that the accused had been using the code words for communicating among them. During the police custody, he had disclosed the meaning intended by them before the witnesses by using these words. The disclosure is as under:-

"JJ"	:	Yasin Bhatkal (A-5)
"Cappt"	:	Capital (Kathmandu or Delhi as per the conversation)
"pandittji"	:	One Bal Bahadur Thapa, who was associated with them at Nepal
"jadd"	:	Waqas (a-3)
"hss" or "hazii"	:	Hassan @ Monu @Tehsin (A-4)
"kalungii"	:	Explosives
"nnn"	:	Nitrate (explosive)
"elaichii"	:	Detonator
"pt"	:	Paltalk
"n"	:	Nimbuzz chat
"waagu"	:	Al-Qaeda in Waziristan
"aslm"	:	IM operative Jabrood of Bhatkal presently in Pakistan

"alii" : Mohsin Chaudhary of Pune presently in Pakistan

"bigaduu" : IM operative Shahzad of Bhatkal presently in Pakistan

17.19. Places pointed out by Asadullah Akhtar (A-2):-

During the course of investigation, Asadullah Akhtar (A-2) had pointed out the following places in Mangalore and pointing out memo was prepared for the same in the presence of independent witnesses.

- [REDACTED] travels from where Asadullah Akhtar (A-2) and Waqas (A-3) have booked tickets for the visit to Bangalore and Hyderabad, City Centre Mall.
- The shop from where they had purchased digital watches for the preparation of bombs.
- The commercial complex near the City Centre Mall from where they had purchased the mobile phone from a shop called "Cell-U-com".
- The Cyber Café namely "[REDACTED]" from where they used to chat with Riyaz Bhatkal.
- A shop namely "[REDACTED]" from where they had received cash sent by Riyaz Bhatkal (A-1) through Western Union Money Transfer.
- "[REDACTED]" and "Angel Cyber Gallery" which they frequented to contact Riyaz over Internet.
- The "Unity Health Complex" Hospital on Attavar Road, where Asadullah Akhtar (A-2) and Waqas (A-3) had received a trolley airbag containing explosives from an unknown person.

- A shop called "██████████", where the accused received the Hawala amount of Rs. 1,00,000/- sent by Riyaz Bhatkal (A-1) during November 2012.
- The ██████████ building on Attavar Road, where the accused had shelter.

The following are the places pointed out by Asadullah Akhtar (A-2) in Hyderabad in relation to their transactions. Pointing out memos were prepared to this effect.

- The cycle puncture / repair shop, from where the accused purchased one old bicycle for Rs. 1400/- on 20-2-2013.
- The pan shop adjacent to hotel Broad land, from where he made a phone call to Tahseen Akhtar (A-4) to come and receive him.
- Sri ██████████, from where they purchased two pressure cookers of 7 ½ litres capacity each, to prepare the IED.
- The exact blasts spots where the IEDs were planted.
- The cycle parking stand of ██████████ station where they parked both the old cycles before the blast.
- ██████████ from where they purchased the second old cycle for Rs 1,500/-.
- The hotels where they used to have food, tea and snacks.
- The house in which he used to stay along with Waqas (A-3) and Tahseen Akhtar (A-4) before the bomb blast in Hyderabad.
- The place where he and Tahseen Akhtar (A-4) threw the electronic watches, and another place where they threw away the trolley bag in which the explosive material was brought, after damaging it.

- The test blast site on the hillock, opposite to the Sathanarayanpuram Welfare Association, outskirts of Batasingaram village, Rangareddy district.
- The [REDACTED], Putli Bowli from where one metre plastic sheet, which was used in the pressure cooker to pack the explosive.
- The [REDACTED] Travels and [REDACTED] from where they had booked their onward (Mangalore to Hyderabad) and return tickets (Hyderabad to Bangalore)

17.20 Collection of materials from the scenes of crime:-

Immediately after the bomb blasts, both investigating officers of Malakpet PS and Saroornagar PS had visited the scenes of crime and seized all the material found there. All those materials objects were sent to Andhra Pradesh Forensic Science Laboratory (APFSL) for analysis. APFSL had detected Ammonium Nitrate, an ingredient of high explosive in the materials sent to them.

The sample of metal pieces collected from the Scene of Crime were sent for Defence Metallurgical Research Laboratory (DMRL), Hyderabad along with samples of pressure cookers for analysis. DMRL, after analysis opined that the samples contained materials, which nearly matches with the control samples (pressure cookers). This suggests the presence of aluminium in the materials collected from the scenes of Crimes.

17.21. Articles recovered during investigation: - During the investigation Asadullah Akhtar (A-2) led the investigation team in the presence of independent witnesses to the [REDACTED], 3rd floor,

Flat Number 301 and as per the search conducted there, on 06.09.13, the following articles were seized u/s 27 of the Indian Evidence Act.

- IED making articles like three electrical detonators, one multi-meter (Mastech).
- Mobile parts and wires (three circuits, two mobile handset).
- One digital multimeter, timer devices with connected wires, circuits with battery connections (electrical detonators).
- Soldering iron (yellow wire with black, red and white colour).
- One 1 ½" size gum tape.
- 08 numbers of 09 volts batteries.
- Three packets of wires (yellow, orange, green & blue in colour)
- Electronic circuits-project board
- One brown gum tape
- Diodes and one brown circuits
- Timer
- 45 pieces of wrist watches (GASIO)
- One hammer and saw blade
- One pack of high voltage batteries and connectors
- One set of needle file set kit -06 needle. (one is cut)
- Small circuit board (07) numbers, pin (05) numbers, cutters (03) numbers, hi-tech electrical solution (01), battery connectors (03), saw blade (01).
- Small tool kit box
- Diodes, connected wires etc. with batteries
- Ammonium nitrate fuel oil (anfo, ~ 250-300 gm), ideal powder 90 gel explosive (cartridge)
- Personal belongings like clothes, Samples of hair, comb, shoes, shaver/trimmer etc.

It is also submitted that the LW-220 had produced the original rent agreement executed between him and Asadullah Akhtar (A-2) on 12.11.2012 and the said deed was also seized and sent for CFSL (GEQD) for comparison with the admitted signatures of Asadullah Akhtar (A-2) and the report is awaited. During investigation, on 23.09.2013, an amount of Rs 50,000/- was seized from LW-220 which was deposited with him as advance by Asadullah Akhtar (A-2) for taking the house on rent.

During the investigation as led by Asadullah Akhtar (A-2) to Plot No. [REDACTED], Hyderabad and as per the search conducted there and the surrounding areas, on 06.09.13, the following articles were seized u/s 27 of the Indian Evidence Act.

- Two red colour insulation like material
- Black colour hair like strands
- Orange colour comb with hair like strands
- Tooth brush with red and light green handle having white and green bristles of morisons make
- One litre kinley water bottle having manufacture date 9-2-13
- One litre omkar plastic bottle having manufacture date 9-2-13
- Two electronic watches
- Soil control sample
- Damaged trolley bag
- Four long handles of pressure cooker
- Two short handles
- Two whistles of pressure cookers
- Soil control sample.

17.22. Recovery of remnants of test blast materials:-

During investigation, on 28.09.2013, Asadullah Akhtar (A-2) led the investigating officer to the hillock where he along with Waqas (A-3) and Tahseen Akhtar (A-4) had conducted test blast. From the spot, the following incriminating materials were seized in the presence of the witnesses:-

- One white colour insulated aluminium wire
- Aluminium piece of detonator shell
- Two wires without insulation
- Part of detonator with two white colour insulated wires
- Part of detonator with two white colour insulated wires
- Sample soil from the test blast site and control earth sample from 3 feet distance to the test blast.

All the above articles were sent to CFSL, Hyderabad for analysis and the result is awaited.

17.23. Other seizures:- During the course of investigation, the following other articles were seized:-

- One TRM form Money Transfer Control No. '2972230898 amount Rs. 25,006.68/- from ██████████ Limited, Western Union Money Transfer, Mangalore in the name of Nabeel Ahmed, original receipt dated 03.11.2012 and Photocopy of Election identity Card No. T824419279 in the name of Nabeel Ahmed Ali.
- Six hard disks from '██████████' Mangalore where Asadullah Akhtar (A-2) and Waqas (A-3) used to visit to chat with Riyaz Bhatkal (A-1) and other associates of IM.
- Seven hard disks from '██████████' Mangalore where Asadullah Akhtar (A-2) and Waqas (A-3) used to visit to chat with Riyaz Bhatkal (A-1) and other associates of IM.

- Fifteen hard disks from "██████████", shop No. G 6, Utility Royal Towers, K S Rao Road, Mangalore of Karnataka, where Asadullah Akhtar (A-2) and Waqas (A-3) used to visit to chat with Riyaz Bhatkal (A-1) and other associates of IM.
- Documents relating to the Western Union Money Transfer from ██████████ services Ltd, Ganesh Mahal Complex, first floor, K S.Rao Road, Hampankatta, Mangalore.
- A pressure cooker from LW-213, similar to the one sold by him to the accused.
- One metre plastic sheet, similar to the one used in the pressure cooker to pack the explosive.
- Relevant documents pertaining to the travel of Asadullah Akhtar (A-2) and Waqas (A-3) from ██████████.
- SDR, CAF and CDRs of the mobile numbers ██████████ and ██████████ used by Tahseen Akhtar (A-4) for internet chatting and local communication.
- ██████████ SDRs, CAF and CDRs of PCO numbers ██████████ and ██████████
- SDR, CAF and CDRs of shelter House Owners at Hyderabad (No. ██████████) and Mangalore (██████████)
- SDR, CAF and CDRs of Care taker of the Abdullapurmet House (██████████) and Mobile No. of Asadullah Akhtar (A-2) (██████████) used at Mangalore
- Three mobile handsets and SIMs were seized from ██████████ electronic shop, Mangalore.

17.24. Google map plotting of shelter places:- During the investigation, it is established that the accused , before and after the conduction of the bomb blast in Hyderabad had taken hideouts in Bangladesh, Dubai, Pakistan, Nepal and India. Asadullah Akhtar

(A-2) and Mohd. Ahmed Siddibapa (A-5), after their arrest, during the police custody had plotted on Google map on 04.10.2013 and on 08.10.2013 respectively, in the presence of independent witnesses the places wherever they had taken shelter. Panchnamas to this effect has been drawn in the presence of witnesses.

17.25. Statements of accused:- During the course of investigation the statements of Asadullah Akhtar (A-2) and Mohd. Ahmed Siddibapa (A-5) were recorded by the 9th Metropolitan Magistrate, u/s 164 of the Cr P C. Both the accused have meticulously explained the respective roles played by them in the conspiracy and the entire sequence of events culminating in the execution of the bomb blast.

17.26. Test Identification Parade:- During investigation, the 19th Metropolitan Magistrate had conducted Test Identification Parade of Asadullah Akhtar (A-2). The witnesses had identified him as the person who stayed in the house of LW-228. He was identified by LW-207, LW-211 and LW-218 as the person who associated in the house rented out by LW-206 to Tahseen Akhtar (A-4). LW-229, LW-230, and LW-231 identified Asadullah Akhtar (A-2) as the person who visited their cyber cafes for chatting. LW-232 had identified Asadullah Akhtar (A-2) as the person who accompanied Waqas (A-3) for receiving money from the Western Union Money Transfer. Asadullah Akhtar (A-2) was further identified by LW-214 as the person who purchased pressure cookers. LW-209 and LW-210 identified Asadullah Akhtar (A-2) as the person who purchased two old bicycles.

17.27. Statements of witnesses u/s 164 of Cr PC.:- During the investigation, the statements of LW 206 to LW-215, LW-217 and LW-218 were recorded by the VII Additional Chief Metropolitan

Magistrate, Nampally, Hyderabad to establish their stay at Hyderabad, purchase of cookers, cycles, travel tickets, parking of cycles at [REDACTED] Station parking. The II Metropolitan Magistrate, Hyderabad recorded the statement of LW-216. The JMFC (V Court), Mangalore had recorded the statements of LW-220 to LW-239 to establish their stay at Mangalore, money transaction through Western Union, Hawala, using of Internet cafes for communicating through chatting with A1 and A5 by A2 and A3.

17.28. Details emerged from the Chat account data recovered u/s. 27 Evidence Act:-. It is revealed during investigation that the accused had been chatting with each other by keeping their identity secret. For this, they have created email IDs with proxy servers on fake names. The accused persons used coded language in the chat as mentioned earlier. They used to change their email IDs periodically. The new chat addresses were exchanged with each other either through encrypted files or by statements in secret coded language. The following are the details revealed in the above regard.

Sl. No	ID	Identity of the user	Period Of Operation	Used to Chat with	Identity of the Recipient
1.	[REDACTED]	A-5	22nd July, 2013 till 26th August, 2013	[REDACTED]	Sultan
2.	[REDACTED]	A-5	13th July, 2013 till 28th August, 2013	[REDACTED]	Riyaz Bhatkal (A-1)
3.	a [REDACTED]	A-5	1st June, 2013 till 15th	[REDACTED]	Afeef @

	m		July, 2013	o.com	Mota
4.	[REDACTED]	A-5	13.11.2012 to 13.7.2013	[REDACTED]	Riyaz Bhatkal (A-1)
5.	[REDACTED]	A-5	25.8.2013 to 28.8.2013	[REDACTED]	Zahida (wife)
6.	[REDACTED]	A-2	18.7.2013 till 27.8.2013	[REDACTED]	Riyaz Bhatkal (A-1)
7.	[REDACTED]	A-2	25.5.2013 till 29.8.2013	[REDACTED]	Mirza Shadaab Beg
8.	[REDACTED]	A-2	March 2013, onwards	[REDACTED]	Riyaz Bhatkal (A-1)
9.	[REDACTED]	A-2	26.7.2013 to 9.8. 2013	[REDACTED]	Mirza Shadaab Beg
10.	[REDACTED]	A-4	May 2013 till date	[REDACTED]	-
11.	[REDACTED]	A-3	May 2013 till date	[REDACTED]	-

17.29. Receipt of Certified Chat Details from the Spl Court for NIA Cases, Delhi.

The email/chat/IM dumps of email IDs were received in response to the Emergency Disclosure Requests made to M/s. Yahoo! Inc. in CD / DVD, during investigation of RC No.6/2012/NIA/DLI. The certified copies of the same are obtained from the Spl Court for NIA Cases and filed herewith. The following are those e-mail IDs:-

1. [REDACTED]
[REDACTED] kul.chitra@yahoo.com
[REDACTED]
[REDACTED] spent_those11@yahoo.com
[REDACTED]
[REDACTED] coolallz@yahoo.com
[REDACTED] laho0@yahoo.com
[REDACTED]
[REDACTED]
[REDACTED]

In addition, the certificates also received in response to the formal MLAT request in respect of the above email IDs. The IP logins of the two accounts sought for i.e. tashan 99 and dumzum, were received from M/s. Paltalk in response to the formal MLAT Request. (Copy enclosed)

17.30. Nimbuzz Chat ID referred by the accused Riyaz Bhatkal (A-1) traced to Pakistan :- During the investigation, details were received in respect of the several Nimbuzz accounts including [REDACTED] from M/s. Nimbuzz, in which it was seen that proxies had been used for registration and access. The login details from Nimbuzz, in respect of "[REDACTED]" were received from the providers. From the received details, the creation IP of the account "[REDACTED]" was found to be "221.120.246.6", which belongs to Pakistan Telecommunication Company Limited.

17.31. Participation of the accused A-5 in the Conspiracy of the bomb blasts at Dilsukhnagar, Hyderabad on the 21st

February, 2013: Investigation has established that the accused A-5 while staying at Pokhara in Nepal was fully involved in the conspiracy that led to the blasts at Dilsukhnagar in Hyderabad on the 21st of February 2013. It has emerged from the analysis of the chat conversations between the accused Md. Ahmed Siddibapa (A-05) and Md. Riyaz @ Riyaz Bhatkal (A-1), that the A-5 had full knowledge of the plan for conduct of the blasts and even prayed for the success of the blasts.

17.32. Analysis of the Chats between Riyaz Bhatkal (A-1) and Mohd. Ahmad Siddibapa (A-5) :-

The following are the details derived regarding the Dilsukhnagar bomb blast, from the analysis of the chat communication between the Riyaz Bhatkal (A-1) and Mohd. Ahmad Siddibapa (A-5):-

During Chat of A-5 with Riyaz (between A-5 with ID as [REDACTED] and Riyaz Bhatkal (A-1) on ID [REDACTED]) on the 28th November, 2012, Md. Riyaz [REDACTED] A-1 mentioned that he was thinking of doing some work (i.e. bomb blasts). He in the further chat at 5.10 mentioned that a lot of anti Muslim activity had happened in Hyderabad area (code H) and that he was planning to send Tahseen Akhtar @ Monu A-4 for the work there, and also that he had a chat with Monu A-4 before chatting with the accused A-5.

During Chat of A-5 with Riyaz on the 16th December, 2012, Riyaz mentioned that Hassan @ MonuA-4 was doing fine and was thinking for daawati work, i.e. for the preparation of blasts in Hyderabad. At this time, Monu A-4 was looking for a house in the interior areas of Hyderabad, and once that would be obtained, then the next step towards the task would be taken.

During Chat of A-5 with Riyaz A-1 on the 20th December, 2012, A-5 asked Riyaz A-1 about the status of the job (i.e. of Hyderabad Blasts to be conducted), to which he replied that the explosive had yet not been arranged, and that he was trying for their arrangement. He informed that the police were badly looking for Daniyal A-2 and Waqas A-3. Since A-5 was not there with them, they had to tread very cautiously. A-5 then advised Riyaz to do 2-3 blasts at a new place and that thereafter they should leave the location and go faraway. Riyaz informed A-5 that they were at a new place and if everything went on well then they could stay at that location for a long time. Suggesting about the design of the IED's to be used, **A-5 advised him to make thin boat shaped IED's for the blast of 1 kg explosive each, which could be carried easily even by tying on the stomach.** But Riyaz A-1 told that they were planning for big IED's. **A-5 told him that such small IED's will have more impact. A-5 asked Riyaz A-1 to try Picric Acid for making bombs.** But Riyaz A-1 said that he was trying for the basic explosive generally used since it was effective. **A-5 told them to go for Picric acid, if the gelatin was not obtained since gelatin was difficult to procure and also got spoilt with time.**

During Chat of A-5 with Riyaz A-1 on the 27th December, 2012, A-5 asked about the status of the work for which Hassan @ Tahseen A-4 had gone. Riyaz A-1 told that it was in pending stage, but Tahseen A-4 was working from his 'tur' and had met friends at the place of stay. He was presently working on them. The second thing was that they would soon get the explosives. They were expected to be obtained in this week. Riyaz A-1 further informed that the plan was to send Tahseen @ Monu to Danial @ Asadullah Akhtar (A-2) and Waqas A-3 for the execution of the task. **A-5 advised for not**

keeping the explosive unused for long time. A-5 again reminded Riyaz A-1 that Picric acid could be tried (for making explosives) this time, but he refused.

During Chat of A-5 with Riyaz on the 30th December, 2012, A-5 asked about the stage of preparation of the Blasts to be conducted, to which Riyaz A-1 replied that the explosives were expected in a week's time. Daniyal was asking Riyaz whether A5 would join him. Riyaz A-1 further mentioned that the Explosives were to be collected from the supplier of Mumbai Blasts of 13th July 2011, and that there was a different supplier for the Pune 1st Aug, 2012 Blast. **During Chat A-5 told him that white gelatin was good for explosion, and that red was not good.** Riyaz mentioned that their main explosive supplier's contact was lost. Riyaz A-1 told that now they were purchasing white, but even white got spoilt during the last time i.e. Pune Blast of 1st August, 2012, due to long time of stocking. Riyaz A-1 recalled that white gelatin taken before the Gujarat Blasts had been kept for long time in packed condition in Almirah in Koppa. Riyaz A-1 mentioned that even now they had stock at one place, but the person who had it had run away due to fear.

During Chat of A-5 with Riyaz on the 22nd January, 2013, A-5 asked Riyaz about the status of planning of the blasts. Riyaz then mentioned that they had succeeded in procuring explosives. However, Daniyal was complaining about the explosives, and that there was a discussion about the quality of the explosives. Riyaz had then asked for picture of the explosive received to get an idea of the quality. **The two had a discussion on the quality of the explosives.**

During Chat of A-5 with Riyaz A-1 on the 27th January, 2013, Riyaz A-1 told A-5 that Tahseen A-4 was to start for the tour in connection with the blast today i.e on 27th January, 2013.

During Chat of A-5 with Riyaz A-1 on the 7th February, 2013, Riyaz A-1 informed that Hassan A-4 was looking for house (in Hyderabad) and had been able to find house on 7th February, 2013 and that they were going to meet tomorrow. Riyaz referred that Tahseen was at the place where blast was to be done, and was looking for a house since many days. A-5 prayed for the success of the blast. Riyaz informed him that Daniyal and Waqas had also sent greetings to Md. Ahmed (A-5). Then he told A-5 that he had done a good job in Nepal and had created a good network there. Riyaz further mentioned that all was ready for the blast, only house was required, which had also been obtained.

During Chat of A-5 with Riyaz A-1 on the 11th February, 2013, Riyaz told A-5 that Daniyal A-2 had gone to Hassan A-4. Then he informed A-5 that he had been chatting with Waqas A-3 at that time on another line and that he had got delayed in chatting with A-5 due to talking with those three. Waqas A-3 had to travel with explosive today i.e 11th February, 2013 and Riyaz was making arrangements. Riyaz A-1 asked A-5 to pray for the success of the blast.

During Chat of A-5 with Riyaz A-1 on the 16th February, 2013, Riyaz told him that on the previous day Daniyal A-2 and Waqas A-3 had gone to meet Hassan @ Monu A-4 (in Hyderabad) but Hassan had not sent any message. Riyaz A-1 asked A-5 not to stay at any place connected with HassanA-4, since he was wary after not receiving any message with Monu A-4.

During Chat of A-5 with Riyaz A-1 on the 17th February, 2013, Riyaz mentioned that he had received message from the trio in the evening and further that the blast would soon be done, so A-5 should pray that the explosive may work correctly during the blast. Riyaz A-

1 had asked them to put all detonators in the IED. He had put all 50 detonators in the IED. They discussed that Hassan A-4 did not know the location where A-5 was currently staying. A-5 had taken due care to ensure that no old contact knew about his new location. A-5 told Riyaz A-1 that the old room where he and Hassan A-4 lived in Pokhara, Nepal was also still retained, and then Riyaz A-1 asked him to be cautious till Hassan A-4 reached his original location. He told A-5 that he was planning to call Daniyal A-2 to Pakistan via Nepal and discussed with him as to where he could be kept in Nepal after the blasts.

During Chat of A-5 with Riyaz A-1 on the 20th February, 2013, Riyaz told A-5 that the blast (Hyderabad) was scheduled for the next day, and asked to specially pray for the success of the blasts. Riyaz (A-1) mentioned that the explosives had also been checked. He also mentioned that Daniyal A-2 was soon going to be sent to Nepal. They then discussed about shelter in hideout for Daniyal A-2.

17.33. Comparison of chance fingerprints and DNA fingerprints extracted from the shelter place with the accused:- During investigation the articles seized from the shelter place at 'Zephyr Heights' and the articles recovered from the shelter place at Abdullapurmet were sent to CDFD, Hyderabad for extraction of DNA fingerprints and analysis. The CDFD, after comparison with the DNA of Asadullah Akhtar (A-2) and DNA of father of Tahseen Akhtar (A-4) opined that DNA) matched with DNA extracted from some of the personal belongings found in 'Zephyr Heights'. This establishes the presence of Tahseen Akhtar (A-4) in that place. In addition, the DNA extracted from the articles seized from shelter house matched with the DNA of Asadullah Akhtar (A-2). The CDFD also found the presence of DNA fingerprints of one more person from

the DNA extracted from the articles seized from [REDACTED] suspected to be Waqas.

Similarly, the Dy SP of Police, Fingerprint Bureau, Western Range, Mangalore, Karnataka had developed two fingerprints from the [REDACTED] shelter house on 6.9.2013. This fingerprints matched with the fingerprint of Asadullah Akhtar (A-2).

17.34. Comparison of Computer Hard Disks: The hard disks seized from the [REDACTED] were sent to the CFSL, Hyderabad. The CFSL reported in its report No. CFSL(H) 1868/DOC/568/CCH-77&78/2013 Dated 15-01-2014 that on analysis of the registry key for the recently accessed file indicates that "**Axcrypt**" file "**new-txt. axx**" has been accessed by using the suspected digital evidence storage media. This indicates that Asadullah Akhtar (A-2) had received some secret document from Riyas Bhatkal (A-1). Also vide para 5(i) of the above report one Key word hit for the paltalk user ID "[REDACTED]" has been found in the unallocated clusters of the suspected digital evidence storage media.

17.35. Harbouring of Asadullah Akhtar (A-2) in Nepal by Mohd. Ahmad Siddibapa (A-5) :- Investigation has established that after the Hyderabad blasts, on the instructions of the Riyaz Bhatkal (A-1), Asadullah Akhtar (A-2) was shifted to Nepal. It was revealed that after the blasts at Hyderabad, Asadullah Akhtar (A-2) and Waqas (A-3) reached Mangalore on the 22nd February 2013 via Bangalore. From there, Asadullah Akhtar (A-2) went to Raxaul via Patna. From Raxaul, he shifted to Birgunj, Nepal and thereafter to Pokhara, Nepal where he met Mohd. Ahmad Siddibapa (A-5), and started staying together at Lakeside, Pokhara. The chat

communication between Riyaz Bhatkal (A-1) and Mohd. Ahmad Siddibapa (A-5) reveals the above fact of harbouring. The following are the main part of chat communication substantiate the same.

During Chat of A-5 with Riyaz on the 27th February 2013, Riyaz directed him to make arrangements for Daniyal. Yasin Bhatkal asked A-5 to give new number urgently to Daniyal (A-2) for his contact him in Nepal.

During Chat of A-5 with Riyaz on the 2nd March, 2013, Riyaz gave number of Daniyal (A-2) to A-5 as [REDACTED] (N Cell number of Nepal). He told A-5 not to go in front of him till full security was confirmed.

During Offline Chat of A-5 with Riyaz on the 4th March, 2013, it was indicated that Daniyal (A-2) had reached Nepal.

During Offline Chat of A-5 with Riyaz A-1 on the 6th March, 2013, Riyaz again asked A-5 to change the room where he had stayed with Hassan A-4. A-5 informed him that he was trying for a new room.

During Chat of A-5 with Riyaz A-1 on the 9th March, 2013, Riyaz informed A-5 that he had given passports to be made for the two (i.e. for Monu A-4 and Waqas A-3) and that he would try that they would be boarding the flight from the place where he was staying i.e. Nepal. Riyaz informed A-5 that the passports were being made from Kerala. A-5 asked about the duration in which the passports would be made, to which he mentioned that it would be around 1 month. A-5 then told Riyaz that he and A-2 were staying at a distance from each other and met at nights. A-5 asked about Monu and Waqas to which he said that the two did not know about the stay of Daniyal with A-5 in Nepal. He further mentioned that Monu A-4 and Waqas A-3 were to be called back to Pakistan, and that they would be taken on flight from Nepal,

thus from security point of view, he wanted to keep them separate from Daniyal A-2.

18. CHARGE.

18.1. That the accused **Asadullah Akhtar @ Haddi (A-2)**, being a member of the unlawful association, Indian Mujahideen, had entered into a criminal conspiracy along with **Mohammed Ahmed Siddibapa @ Yasin Bhatkal @ Mohammad Zarrar @ Ahmed @ Imran @ Asif @ Shahrukh (A-5)** and other absconding accused to wage war against the Government of India, to create terror in the minds of the people and with an intention to further the activities of the terrorist organisation, Indian Mujahideen, by committing terrorist act in Dilsukhnagar, Hyderabad by using bombs, had received explosive materials from the accused Riyaz Bhatkal (A-1) through unknown person in Mangalore, and came to Hyderabad along with the absconding accused, taken shelter in Hyderabad and prepared bomb by procuring other materials for making the bomb such as, pressure cookers, timers, etc. and after preparation of the said bomb, mounted the bombs on two separate bicycles and placed the said bicycles in front of A-1 Mirchi Centre and 107 Bus stand in Dilsukhnagar on 21.02.02012 at about 6.30 pm and thereby caused the bomb explosion which resulted in the death of 1) Aijaz Ahmad, 2) Padmakar Kulkarni, 3) Vele Ramulu, 4) Naki Venkiteswarulu, 5) Mohd. Rafiuddin, 6) Poredy Swapna Reddy, 7) Harish Karthik, 8) Bomma reddy Lakshmi Sreenivasa Reddy, 9) Gunta Thirupathi, 10) Chogaram, 11) Mudraboina Machagiri, 12) Rapolu Sudhakar Rao, 13) Mohd. Amanulla Khan, 14) Amrutha Ravi, 15) Vadda Vijaya Kumar, 16) Muthyala Rajasekhar and 17) Sigadi Anand Kumar, and the death of unborn child in the womb of Y Yasodha, causing injuries to LWs 28 to 115 and LW-125 to LW-171 and causing damages to several

vehicles and buildings. Thus **Asadullah Akhtar @ Haddi @ Asad @ Tabrez @ Daniyal @ Yunus @ Mamun-ur-Rashid @ Mamu @ Raees @ Haider @ Sameer, (A-2)**, has committed waging war against the Government of India, committed conspiracy to wage war against the Govt of India, committed terrorist act, voluntarily committed murder, attempted to commit murder, committed simple and grievous hurt, mischief, caused disappearance of evidence, and caused the death of unborn child punishable under sections 302, 307, 324, 326, 316, 121, 121A, 122, 201 and 120B of IPC; Sections 3 & 5 of the Explosive Substances Act 1908; sections 10, 16, 17, 20, 38 (2) and 39 (2) read with section 18 of the Unlawful Activities (Prevention) Act 1967.

18.3 That the accused **Mohammed Ahmed Siddibapa @ Yasin Bhatkal (A-5)** being a member of the unlawful association Indian Mujahideen, had entered into a criminal conspiracy along with the other absconding accused to wage war against the Government of India by committing terrorist act in Dilsukhnagar, Hyderabad by using bombs in order to create terror in the minds of the people, and with an intention to further the activities of the terrorist organisation, facilitated the commission of the offence and after the commission of the offence by **Asadullah Akhtar (A-2)** and others had harboured **Asadullah Akhtar (A-2)** in Pokhara in Nepal and thereby committed offence punishable under sections 302, 307, 324, 326, 316, 121, 121A, 122, 201 Read with section 120B of IPC; Sections 3 & 5 of the Explosive Substances Act 1908 read with section 120B of IPC; sections 10, 17, 20, 38 (2) and 39 (2) read with section 18 of Unlawful Activities (Prevention) Act 1967 , and section 19 of the U A (P)Act

18.4 The sanction for prosecution for prosecuting the accused under sections 10, 13, 16, 17, 20, 38(2) and 39(2) read with section 18 of the Unlawful Activities (Prevention) Act, 1967 as provided under section 45 (2) of the UA (P) Act and for prosecution of the accused under sections 121, 121A 122 r/w sections 120B of Indian Penal Code as provided under section 196 of the Cr PC has been accorded by the Ministry of Home Affairs, Govt. of India vide order No. 11011/14/2013-IS.VI (IV)GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS, INTERNAL SECURITY-I DIVISION, North block, New Delhi dated 28.02.2014. The original sanction order is produced herewith.

18.5 The consents for prosecution of the accused under sections 3 & 5 of the Explosive Substances Act 1908 has been accorded by the District Magistrates of Rangareddy and Hyderabad vide proceedings No C3/306/2014 dated 21.02.2014 in RC No 2/2013/NIA/HYD and vide proceedings No C2/343/2014 dated 09.02.2014 in RC No 1/2013/NIA/HYD, respectively. The Orders are enclosed in original.

18.6 It is submitted that both the bomb blasts at Dilsukhnagar were committed by the same accused as part of the single conspiracy, planning, preparation and execution at the same time. The place of occurrences are within the limits of National Investigation Agency, Hyderabad branch and hence a combined final report is being filed in both the above crimes, RC. No. 1/2013/NIA/HYD and RC. No. 2/2013/NIA/HYD.

18.7 That further investigation in respect of the absconding accused Mohammad Riyaz Bhatkal (A-1), Waqas (A-3) and Mohd. Tahseen Akhtar (A-4) is continuing. Further investigation against the (A-2) and (A-5) is continuing to unearth the larger conspiracy and for

collecting additional evidence. Additional evidence, if any, available, will be produced in respect of the offences for which the accused are charge sheeted.

It is also prayed that permission to conduct further investigation u/s 173(8) of Cr.P.C. may be granted for the ends of justice.

18.8. It is, therefore, prayed that this Hon'ble Court may be pleased to take cognizance of offences under sections 302, 307, 324, 326, 316, 121, 121A, 122, 201 and section 120B of IPC; Sections 3 & 5 of the Explosive Substances Act 1908; sections 10,16, 17, 20, 38 (2) and 39 (2) and section 18 of the Unlawful Activities (Prevention) Act 1967 in respect of **Asadullah Akhtar @ Haddi @ Asad @ Tabrez @ Daniyal @ Yunus @ Mamun-ur-Rashid @ Mamu @ Raees @ Haider @ Sameer, (A-2)** and;

Of offences under sections 302, 307, 324, 326, 316, 121, 121A, 122, 201 Read with section 120B of IPC; Sections 3 & 5 of the Explosive Substances Act 1908 read with section 120B of IPC; sections 10, 17, 20, 38 (2) and 39 (2) read with section 18 of Unlawful Activities (Prevention) Act 1967 , and section 19 of the U A (P)Act

in respect of **Mohammed Ahmed Siddibapa @ Yasin Bhatkal @ Mohammad Zarrar @ Ahmed @ Imran @ Asif @ Shahrukh (A-5).**

19. Despatched on :

20. No. of enclosures: 03

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

Shankar
19/3
Forwarded by DIG/NIA
(Dr. A Ravi Shankar, IPS,)
Deputy Inspector General,
NIA, Hyderabad

M. Venkatadri
Signature of the Dy. S.P. NIA,
Investigation Officer, 14/3/2013
(M. Venkatadri, Dy. S. P)
Submitting the Final report

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