

**NATIONAL INVESTIGATION AGENCY
MINISTRY OF HOME AFFAIRS
GOVERNMENT OF INDIA
NEW DELHI**

**CHARGE SHEET
(U/S 173 Cr.P.C)**

**IN THE COURT OF SPECIAL JUDGE FOR N.I.A. CASES, DIMAPUR,
NAGALAND**

STATE

V/s

KHEKAHO ROCHILL AND OTHERS

1. **Name of the Branch** : National Investigation Agency,
New Delhi.

F.I.R. No. : RC-04/2015/NIA/DLI

Year : 2015
Date : 18.05.2015
2. **Final Report/
Charge Sheet No.** : 11/2015
3. **Date** : 23.11.2015
4. **Section(s) of Law** :
IPC : Section 120-B read with
302,307,326.
Explosives Substances Act : Section 4 and 5
Arms Act : Section 25 (1) (B)
Unlawful Activities (P) Act. : Section 16, 18, 20, 23
5. **Type of Final Report** : Charge sheet

NIA Charge sheet RC-04/2015/NIA/DLI

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 Officer** : Sh. Vishal Garg,
Supdt. of Police,
N.I.A., New Delhi.
9. **Name of the Complainant/Informant:** ASI Keyisenyii Solo,
PS- Kohima
North, Nagaland
10. **Details of properties/ Articles/ Documents recovered/ Seized during Investigation and relied upon** : As per Annexures
A, B, C & D
11. **Particulars of accused persons charge sheeted**

A-1

a.	Name	Ranjit Thapa @ Karan
b.	Father's Name	Jit Bahadur Thapa
c.	Age/ DOB	21 yrs As on 01/10/13 as mentioned in electoral photo identity card no. MVF1806037 issued in his name)
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Hindu
h.	Occupation	Taxi driver.

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i.	Address (present)	Lower Forest colony Kohima, Nagaland
j.	Address (permanent)	Village Borondi, PO/PS Uriamghat, Dhansiri, District Golaghat (Assam)
k.	Whether Arrested/On Bail/Absconding	Arrested on 28.03.2015 , from Kohima, Nagaland and presently in Judicial custody.

A-3

a.	Name	Khekaho Rochill
b.	Father's Name	Yehokhu,
c.	Age/DOB	35 yrs 1984 (as per electoral photo identity card no. GYF0169581 issued in his name in 2014)
d.	Sex	Male
e.	Nationality	Indian
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Finance Secretary of NSCN (K)
i.	Address (present)	Aichisaghemi, Suruhuto, Distt. Zunheboto, Nagaland.
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	Arrested on 28.05.2015 at Kohima, Nagaland and presently in Judicial custody.

A-4

a.	Name	Kisheto Ayem
b.	Father's Name	Late Nizheto Ayem
c.	Age/DOB	32 yrs (02-10-1983 as per the Axis Bank account no. 914010017020942.
d.	Sex	Male.
f.	Nationality	Indian.
g.	Passport Details	-
h.	Religion	Christian
i.	Occupation	Town commander of Kohima of NSCN (K)
j.	Address (present)	Vikoho & Church Colony, Suruhoto, Zunheboto, Nagaland
l.	Address (permanent)	Same as above
m.	Whether Arrested/On Bail/Absconding	He was arrested on 03.08.2015 from near village Tsiesena basa, Kohima and presently in judicial custody.

12. Particulars of accused persons not Charge Sheeted:-

A-2

a.	Name	Avinash Limbu
b.	Father's Name	Vijay Limbu.
c.	Age/DOB	27 yrs 19.07.1991 as per his driving license no. 47649/MON/NTV/2010

d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Hindu
h.	Occupation	Taxi driver
i.	Address (present)	E-11, Merhulietsa colony, Para medical, Kohima, Nagaland
j.	Address (permanent)	Village Dilai, Distt. Diphu, Assam
k.	Whether Arrested/On Bail/Absconding	He was arrested on 16.04.2015 from Kohima, Nagaland and presently in judicial custody

A-5

a.	Name	Kughaito Achumi
b.	Father's Name	Viohoto Achumi
c.	Age/DOB	15.01.1986 as per Axis bank account no. 914010018952037
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Senior cadre of NSCN (K) in Kohima Town
i.	Address (present)	Village- Koiboto, Zunheboto, Nagaland.
j.	Address (permanent)	Same as above.
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-6

a.	Name	Nasaka I Kinny
b.	Father's Name	Ilhovi Kinny
c.	Age/DOB	26 yrs as per Electoral list no. JDX0195578
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Member of NSCN (K)
i.	Address (present)	River belt colony, Dimapur, Nagaland
j.	Address (permanent)	Village Zaphu and - Akhulto Zunheboto
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-7

a.	Name	Khutoho
b.	Father's Name	Lahovi
c.	Age/DOB	44 Yrs as per electoral list no. GYF0213348
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Member of NSCN (K)
i.	Address (present)	Village- Surrumi, Distt- Zunheboto, Nagaland

j.	Address (permanent)	Village Askho, Zunheboto, Nagaland
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-8

a.	Name	Atoshe Sema
b.	Father's Name	Zuhusha Sema
c.	Age/DOB	-
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Member of NSCN (K)
i.	Address (present)	Village Alaphu, Zunheboto, Nagaland
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-9

a.	Name	Akaho Zhimomi
b.	Father's Name	Late Saishe Zhimomi
c.	Age	57 yrs as per Electoral list no. KSS0260067
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-

g.	Religion	Christian
h.	Occupation	Self-Styled Brigadier of NSCN (K)
i.	Address (present)	Power house colony, Zunheboto, Nagaland & Vill-Khetoi, PS- Agunato, Dist-Zunheboto, Nagaland.
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-10

a	Name	Isak Sumi
b.	Father's Name	Hevito Chishi
c.	Age	35 as per Electoral list no. KSS0247460
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Self-Styled Colonel of NSCN (K)
i.	Address (present)	Village Hoshepu, Agunato Sub Division, Zunheboto, Nagaland.
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	He is absconding.

A-11

a.	Name	Niki Sumi
b.	Father's Name	Suvishe Sumi
c.	Age/DOB	-
d.	Sex	Male.
e.	Nationality	Indian.
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Self-Styled Lt. General of NSCN (K)
i.	Address (present)	Purana Bazar, Padampokhri, Dimapur & Village Surrumi, Distt. Zunheboto, Nagaland.
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	He is absconding. NBW issued against Niki Sumi by the NIA Spl. Court Dimapur

A-12

a.	Name	S.S. Khaplang
b.	Father's Name	-
c.	Age	-
d.	Sex	Male.
e.	Nationality	Myanmar
f.	Passport Details	-
g.	Religion	Christian
h.	Occupation	Chairman of NSCN (K)
i.	Address (present)	Myanmar
j.	Address (permanent)	Same as above
k.	Whether Arrested/On Bail/Absconding	He is absconding.

13. Particulars of

- (i) **Witnesses examined** : Separate list attached as **Annexure-A**
- (ii) **List of documents** : Separate list attached as **Annexure-B**
- (iii) **List of articles / material object**: Separate list attached as ;
Annexure-C
- (iv) **List of protected witnesses** : Separate list attached as ;
along with relevant documents
and statements **Annexure-D**

14. **If FIR is false, action taken** : Not Applicable

15. Result of laboratory analysis :

15.1 During the arrest of accused Ranjit Thapa **(A-1)**, Avinash Limbu **(A-2)**, Khekaho Rochill **(A-3)** and Kisheto Ayem **(A-4)**, mobile phones, SIM cards, memory cards, hard disks/laptops were recovered, seized and further sent to CERT-In New Delhi for examination. A report from CERT-In, New Delhi received vide letter no. 4(5)/2015-CERT-In (Part II) dated 15.10.2015. The forensic examination report in soft copy (in a hard disk) of all above material was received. The extracted data/files were further analyzed in the light of other available evidence on record. The analysis clearly establishes the contacts numbers of different NSCN(K) cadres saved in the memory of the device, content of the SMS and incriminating photographs which are corroborating their association with the NSCN (K), role in terror funding and other extortion activities.

- 15.2 The arms, ammunition along with remnants of exploded grenade recovered from accused Kisheto Ayem (A-4) and empty bullet cases/bullets head recovered from the scene of crime, have been sent to CFSL Chandigarh for forensic examination. A report CFSL ©/1889/15/Expl/12/15 dated 20.10.15 related to remnants of grenade has been received which establishes the presence of RDX and PETN (high explosives) in it. The CFSL report in respect of examination of Arms and empty bullet cases is still awaited.

16. **BRIEF FACTS OF THE CASE AND IT'S INVESTIGATION**

- 16.1 The terrorist act of 26th March' 15 near Indira Gandhi Stadium under the instant investigation was committed by members of National Socialist Council of Nagaland (Khaplang) (hereinafter also referred to as NSCN(K)) and it was committed to mark the abrogation of long standing ceasefire between NSCN(K) and the Govt. of India. The validity of the ongoing ceasefire between NSCN(K) and Government of India was supposed to expire on 27th April 2015 and talks were in progress for its renewal as has been regularly done in the past since the ceasefire came into operation in the year 2002. However NSCN(K) leadership unilaterally decided in the month of March 2015, to break the ceasefire and directed their field cadres to commit a spectacular terrorist attack to show that they are abrogating the ceasefire pact.
- 16.2 As per the investigation, it is revealed that during the 1st week of March 2015, senior most leaders of NSCN(K) met at a secret location in Myanmar and discussed the status of ceasefire with Govt. of India vis-à-vis funds collected through extortion in Nagaland. They also assessed their muscle power in the form of number of cadres and availability of arms, ammunition and explosives. The senior leaders of NSCN (K) which includes S.S.

Khaplant (A-12), Niki Sumi (A-11), Akaho (A-9), Isak Sumi (A-10) and few others, decided to abrogate the ceasefire with Government of India by attacking the security forces and it was decided to convey the direction to the field cadres to carry out the attack.

- 16.3 Accordingly Niki Sumi (A-11), Akaho (A-9) and Isak Sumi (A-10) issued directions through mobile phones and other means to their cadres in Nagaland and particularly at Kohima for making all the preparations and adopting security measures before announcing the abrogation of the ceasefire unilaterally by attacking the security forces.
- 16.4 Investigation has established that accused Khekaho Rochill (A-3) who was finance secretary of NSCN (K) and also a member dealing with Ceasefire Supervisory Board (CFSB) set up by the Government of India to monitor the ongoing ceasefire mechanism, was directed by Niki Sumi (A-11) around 23rd /24th March **to not attend** any meeting with the board and also to leave Kohima at the earliest and accordingly, he left Kohima on 24th March, 2015.
- 16.5 Similarly, on 24th March 2015, Kisheto Ayem (A-4), who was the military wing in-charge of NSCN(K) at Kohima received a call from senior cadre Akaho (A-9) who directed him to attack security forces within a day or two at Kohima.
- 16.6 Accordingly, Kisheto Ayem (A-4), who was present with other cadres in a rented accommodation at P.R. Hills, Kohima, asked his fellow cadres to prepare to go to jungle and to arrange all logistics support which will be required to carry out offensive actions against the security forces in times to come.

- 16.7 Investigation has established that senior cadre of NSCN(K) Isak Sumi **(A-10)** sent Rs. 1 Lakh through a cadre to Kisheto Ayem **(A-4)**. Accordingly Kisheto **(A-4)** and his colleagues purchased certain items like rucksack, polythene sheets, shoes, battery, raw food items from the local market in Kohima and thereafter the above cadres along with available arms-ammunition, explosives and other items moved to jungle area near Kohima.
- 16.8 Accused Akhao **(A-9)** informed Kisheto Ayem **(A-4)** that the direction to attack Indian Forces had come from Baba i.e. S.S. Khaplang **(A-12)** and Niki Sumi **(A-11)**. Investigation has revealed that Kisheto **(A-4)** and Kughaito **(A-5)** decided that the attack will be led by Kughaito **(A-5)** along with Nasaka **(A-6)**, Khutoho **(A-7)** and Atoshe Sema **(A-8)**. The above strike team was armed with sophisticated firearms which included two AK-47, one 9 mm Pistol and one .32 country made pistol with ammunition.
- 16.9 As per their plan, four NSCN(K) cadres reached the residence of accused Ranjit Thapa @ Karan **(A-1)** in early morning of 25th March 2015 and had food & shelter till afternoon. Accused Ranjit Thapa @ Karan **(A-1)** was a local taxi driver at Kohima and had been in contact for some time with few cadres of NSCN(K) to ferry them in Kohima on rent basis. The identity of Ranjit Thapa **(A-1)** was known to these cadres as "**Karan**".
- 16.10 Investigation has established that on the afternoon of 25th March, 2015, a cadre called up Ranjit Thapa @ Karan **(A-1)** to pick them from Para medical (Kohima) in his taxi. Once Ranjit **(A-1)** reached there, all four of them boarded his taxi and further moved towards new Secretariat / Directorate of Land Resources in Kohima. On reaching, these cadres got down from the taxi and
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at the same time four new cadres namely Kughaito **(A-5)**, Nasaka **(A-6)**, Khutoho **(A-7)** and Atoshe Sema **(A-8)** came out from the nearby jungle area and boarded the taxi. They were having pistols and arms concealed in the badminton racket cover. As per the direction of Kughaito **(A-5)**, Ranjit Thapa **(A-1)** drove his taxi to Aradura area of Kohima. They all stayed for a night in an abandoned house at Aradura.

- 16.11 Investigation has established that all five of them i.e. Kughaito **(A-5)**, Nasaka **(A-6)**, Khutoho **(A-7)**, Atoshe Sema **(A-8)** and Ranjit Thapa @ Karan **(A-1)** left Aradura in the early hours of next morning i.e. 26th March 2015. As per the confessional statement of **Ranjit Thapa (A-1)**, after crossing the Police Headquarters, Kughaito **(A-5)** asked others cadres to get prepared to attack on personnel of Assam Rifles. He directed to take all precautions so that no local people are hurt in this attack.
- 16.12 These cadres armed themselves and proceeded towards TCP gate and found few Army personnel standing near UCO Bank. They decided not to open fire because of the presence of the local public. Thereafter, in search of another target, they reached Naga Hospital and found few Army personnel standing there. The taxi driver Ranjit **(A-1)** could not stop the car out of anxiety. Kughaito **(A-5)** directed Ranjit **(A-1)** to turn back, however, upon reaching back, they found more Army personnel standing there. Because of the threat of being outnumbered by the increased presence of the Army, they again decided not to attack them.
- 16.13 They further moved to Indira Gandhi stadium and spotted 6-7 unarmed personnel of Assam Rifles standing at the gate of the Indira Gandhi stadium,. Kughaito **(A-5)** directed Ranjit **(A-1)** to stop the car near the gate of the stadium. As Ranjit **(A-1)** stopped the car about 50-70 ahead on the curving road, all the four

hurriedly alighted from the taxi and three ran towards the gate of the stadium including Kughaito **(A-5)**, whereas one of the NSCN(K) cadre stayed behind to keep an eye on Ranjit **(A-1)**. The three cadres, as per eye witnesses opened fire upon the unarmed Assam Rifles personnel waiting at the gate for a bus. Two of the terrorists fired from AK series rifles and one fired from a pistol as established from eye witness accounts.

- 16.14 After the attack, the three attackers ran back to the taxi and all four of them hurriedly boarded the taxi again and asked Ranjit **(A-1)** to speed up towards New Secretariat. As per confessional statement of **Ranjit (A-1)**, during their escape, Kughaito **(A-5)** told proudly to other cadres that he had killed one personnel of Assam Rifle. Other cadres also discussed that how they had attacked the personnel of Assam Rifles. During the move, they again hid their weapons in the badminton racket covers. Kughaito **(A-5)** told Ranjit **(A-1)** to stop the car at Working Women's Hostel short of New Secretariat. They handed over Rs.600/- to Ranjit **(A-1)** and boarded another local taxi of Alto make to flee towards New Secretariat. As per his confessional statement, Ranjit **(A-1)** came back home after the attack, and kept low profile to evade any suspicion.
- 16.15 In this attack, four personnel of Assam Rifles received bullet injuries and one of them namely Havaladar Dhurva Ghising succumbed to his injuries. Three injured personnel have been examined during investigation.
- 16.16 During this incident, Kisheto Ayem **(A-4)** along with other cadres with arms and ammunition were waiting their above strike team in the nearby jungle. Kughaito **(A-5)** along with other three
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cadres met their town commander Kisheto Ayem **(A-4)** inside the jungle in the forenoon itself. As per the confessional statement of Kisheto Ayem **(A-4)**, Kughaito briefed Kisheto about the successful attack on the Assam Rifles. As per the direction of senior cadres of NSCN(K) , Kisheto Ayem **(A-4)** along with all other cadres went deeper inside the jungle areas to abscond and evade arrest in view of likelihood of operations by Security forces.

- 16.17 This terrorist act was reported by the complainant Keyisenyii Solo, P.S North Kohima by a written complaint and a case FIR No. 0029/2015 was registered by the same P.S. under sections 307,326 of IPC and Section 25(1)(B) of Arms Act. During the initial investigation, it has come to the fore that the firing incident took place at Indira Gandhi Stadium was in between 0730 AM to 0800 AM in which four personnel of Bravo company, 19 Battalion, Assam Rifles namely Havaldar R.S. Negi, Havaldar Dhurva Ghising, Havaldar Birendra Singh and Rifleman S.K. Gupta were seriously injured. The above injured persons were taken to local hospital for treatment and the investigation of this case commenced.
- 16.18 Based on the intelligence inputs and initial investigation, accused Ranjit Thapa @ Karan **(A-1)** was arrested on 28.03.2015, 2(two) days after the incident, and his taxi NL- 01-T-8038 (Maruti Alto), which was used in the crime was also seized from his possession. Mobile phones, electoral photo ID card, driving licence and other documents related to above Alto taxi were also seized and analyzed. Considering the gravity of the case, Ranjit Thapa's **(A-1)** order of detention under the provisions of National Security Act (NSA) was issued by District/State administration which is valid up to 20.04.2016.

- 16.19 The local sources were developed and tasked to get the information related to perpetrators. It came to the fore that the accused Ranjit Thapa **(A-1)** was using mobile no. [REDACTED] at the time of incident. The Call Detail Report (CDR) analysis of this no. establishes his presence at Rusoma village, Kohima at around 06.30 AM on the 26-03-2015 and his further movement to Khel village, Kohima around 9.30 AM. The analysis report of CDRs of mobile phones of Ranjit Thapa @ Karan **(A-1)** and other cadres of NSCN(K) establishes their presence near the scene of crime at the time of incident.
- 16.20 During the searches at the scene of crime, empty cartridges of AK rifle, 9 mm ammunition and bullet heads were recovered. The proceedings were drawn and the exhibits were seized and sealed for further forensic examination.
- 16.21 Another taxi driver, namely Avinash Limbu **(A-2)** was also arrested in Kohima by local police, on **16th April 2015**, on suspicion of his association with Ranjit **(A-1)**. However during the course of investigation, sufficient evidence regarding his involvement in the instant case has not been forthcoming and efforts are being made for the same.
- 16.22 During the investigation, finance secretary of NSCN(K) and a senior office bearer namely Khekaho Rochill **(A-3)** was **arrested on 28.05.2015**. During the arrest of Khekaho Rochill **(A-3)**, mobile phones, laptop, voter ID card and ATM card of Axis bank were recovered from his possession. The mobile phones and laptop were sent to CERT-In for its forensic examination. The report of the same has been received and annexed herewith.
- 16.23 His examination revealed the involvement of Kisheto (Town commander Kohima), Niki Sumi and others in this instant case.

As per the disclosure by Khekaho Rochill **(A-3)**, the top leadership of NSCN(K) including Niki Sumi **(A-11)**, Military Commander in Chief of NSCN(K) had ordered to ambush the security forces to show their military strength, and to demonstrate the abrogation of the cease fire with Government of India and to spread terror in the minds of general public for collection of more extortion money.

- 16.24 The Khekaho Rochill **(A-3)** has been an active member of NSCN (K) for more than ten years. He joined as a Personal Secretary to a senior cadres and over the period of time, he rose to become the Finance Secretary of NSCN (K). He was also representing the NSCN (K) before the Ceasefire Supervisory Board CFSB at Kohima. Thus his association with NSCN (K) is established.
- 16.25 Several witnesses have been examined during investigation, who disclosed and identified the role and complicity of accused Kughaito **(A-5)** and Nasaka **(A-6)** at the scene of crime on 26.03.2015. Some of these witnesses have been treated as protected witnesses and their identities kept secret as reasonable apprehension exists that they may be targeted by the NSCN (K) for their testimony against the cadres of NSCN(K).
- 16.26 Two protected witnesses (PX-1 and PX-2) who were present at the time of incident at Indira Gandhi stadium on 26.03.2015 have identified the involvement of absconding accused Nasaka **(A-6)** in this crime in a photo identification proceedings.
- 16.27 Three protected witnesses (PX-3, PX-4 and PX-5) have corroborated the presence of accused Kughaito **(A-5)** and Nasaka **(A-6)** along with other cadres on the night of 25th / 26th March
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2015 at a particular location, thereby proving their association just prior to commission of crime, in a photo identification proceeding taken on record.

- 16.28 Another protected witness (PX-6) has identified Kughaito **(A-5)** as the person who loaded the pistol and fired indiscriminately on the personnel of Assam Rifles, in a photo identification parade.
- 16.29 Another protected witness (PX-7), in a photo identification proceeding has identified accused Khekaho Rochill **(A-3)**, Kisheto **(A-4)**, Kughaito **(A-5)**, Isak Sumi **(A-10)** and Ranjit Thapa **(A-1)** as having been a regularly visiting /staying at a particular place in Kohima together, thereby proving their association. The relevant records pertaining to stay of Khekaho Rochill **(A-1)** in that place was also taken on record. The above analysis clearly corroborates that accused Khekaho Rochill **(A-3)** was having prior knowledge about the planning and preparation of NSCN(K) for the attack on personnel of Assam Rifles. Khekaho Rochill **(A-3)** along with his senior NSCN(K) cadres were assisting and completely monitoring this terror attack.
- 16.30 The report received from CERT-In New Delhi after the forensic examination of mobile phones and laptop seized from Khekaho Rochill **(A-3)**, it is established that he was in regular communication with senior cadres of NSCN(K) including Niki Sumi **(A-11)**, Isak Sumi **(A-10)**, Akaho **(A-9)**, Kughaito **(A-5)**, Kisheto **(A-4)** and others. On the further analysis of his mobile phone established that mobile no. [REDACTED] was saved in the contact list as "**Kughaito Kma**". Other mobile no. [REDACTED] was saved in the contact list as "**Kishe3**" referring to Kisheto **(A-4)**, thereby proving their association and communication.

- 16.31 The investigation has established that the above mentioned telephone numbers belong to Senior NSCN(K) cadres active in the state of Nagaland. The SMSs saved in the mobile phones have revealed financials transaction of Khekaho Rochill (A-3) with senior cadres. As per the CDR analysis, Khekaho (A-3) was closely associated with Kohima town commander Kisheto (A-4) on mobile no. [REDACTED] and with Kughaito mobile no. [REDACTED] & [REDACTED]. The CDR analysis also establishes that Khekaho Rochill (A-3) left Kohima around afternoon on 24.03.2015 after talking with senior NSCN(K) cadre Isak (A-10).
- 16.32 On 25.03.2015, the CDR analysis indicates frequent communication between Khekaho Rochill (A-3) and senior leaders namely Isak (A-10) and Akaho (A-9) which circumstantially establishes his prior knowledge of the conspiracy and execution of an impending terrorist act which followed on 26.03.2015.
- 16.33 The CDR analysis of the location of mobile no. [REDACTED] of Kisheto Ayem (A-4), with mobile no. [REDACTED] of Kughaito (A-5) and mobile no. [REDACTED] of Ranjit Thapa @ Karan (A-1), clearly establishes that the tower location of mobile of Kughaito (A-5) and Ranjit Thapa (A-1), were found to be same at around 6 AM at Rusoma town Kohima, which corresponds to the night stay location on night of 25th / 26th March. The tower location of mobile of **Kughaito (A-5) at 7.55 AM is found to be at Indira Gandhi stadium at Kohima.** Further the tower location of mobile of Kughaito (A-5) and Ranjit Thapa (A-1) at 08.01 AM is found to be same at [REDACTED] Kohima village.
- 16.34 As per the tower location analysis of mobile of Kisheto (A-4), it was found to be present at [REDACTED] Kohima.

village from 7 AM to 08.05 AM and then he further moved Thizama village Kohima at around 9.15 AM where Kughaito (A-5) along with other cadres joined Kisheto (A-4).

- 16.35 As per the CDR analysis, at 9.37 AM on 26-03-2015, after the crime, Ranjit Thapa (A-1) spoke to Kughaito (A-5) for 109 seconds. This indicates his association with the main terrorists even after the attack.
- 16.36 The investigation has established that the NSCN (K) claimed the responsibility by issuing press releases, mentioning that the attack on personnel of Assam Rifles on 26.03.2015 was an act of their cadres and resolved to abrogate the ceasefire. The said press releases along with statement of concerned media personnel have been taken on record.
- 16.37 During the investigation, medical reports, copy of death registration certificate in respect of Dhurba Ghising and the post-mortem report have been collected. The statement of concerned Medical Officer, 19th AR was recorded u/s 161 Cr.P.C which establishes the injuries and death due to firearms.
- 16.38 The details related to bank account of accused Kughaito (A-5) and Kisheto (A-4) in Axis bank, P.R. Hills Kohima were taken on record which clearly established that the funds being obtained and utilized for various terror activities in Nagaland. Investigation has established that the accused Kughaito (A-5) has mentioned his mobile no. in the bank account opening form as [REDACTED] and this was the no. which was carried by him at the time of incident at Indira Gandhi stadium which is established by the analysis of his mobile's CDR.
- 16.39 Based on secret information, on 03.08.2015, accused Kisheto Ayem (A-4) was finally arrested from village Tsiesena Basa,
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Kohima Nagaland. One Beretta pistol along with seven rounds of ammunition was seized from his possession at the time of arrest. A laptop, Hard disk, mobile phones, driving licence of Kisheto (A-4), in the fake name of Hekato Aye s/o Nizeto Aye, and a personal diary, a laminated copy of authorization and attachment letter from NSCN (GPRN) duly issued by military supervisor SS Lt. Gen. Niki Sumi, an I card of Nasaka I Kimmy etc. were recovered from his possession.

- 16.40 After a detailed examination, **Kisheto (A-4)** led the investigation team to a secret place in the jungle near Tisesena Basa, Kohima on 03.08.2015 and led to recovery of a large cache of arms and ammunition i.e. **one M-16 Rifle along with two magazines and 180 rounds, one .303 bolt action rifle along with 12 rounds of 7.62 mm ammunitions and one Chinese grenade.** The same were recovered and seized under section 27 Indian Evidence Act.
- 16.41 The above diary recovered from **Kisheto (A-4)**, as per his disclosure, belongs to Kughaito Achumi **(A-5)** is very important piece of evidence, as it contains several incriminating handwritten entries relating to the organisation, the cadres, the arms holding of cadres as well as the instant crime.
- 16.42 During the seizure in the jungle on 03.08.2015, the grenade recovered was found in unsafe condition for carrying it or packing it hence it was decided to destroy it in-situ. On the written request of NIA, the Army Unit destroyed the grenade and handed over the remnants duly sealed of the same for further forensic examination by the experts. A report CFSL ©/1889/15/Expl/12/15 dated 20.10.15 related to remnants of grenade has been received which establishes the presence of RDX and PETN (high explosives) in it.

16.43 The disclosures and pointing out by accused Ranjit Thapa @ Karan (A-1) and Kisheto Ayem (A-4) were taken on record which clearly corroborated and established the role and complicity of various accused persons belong to NSCN(K) in this heinous crime.

17. Facts disclosed during the investigation

- 17.1 The investigation conducted has established that the accused **Khekaho Rochill (A-3)** and **Kisheto Ayem (A-4)** belong to NSCN(K), alongwith **Ranjit Thapa (A-1)**, having common intention and motive, conspired to attack the personnel of Assam Rifles on 26.03.2015 at Indira Gandhi stadium Kohima with sophisticated firearms. Sufficient substantive evidence has been collected which includes oral evidence comprising of statements of eye witness, other witnesses, injured persons, as well as 164 Cr.P.C. statements of two accused persons as well as documentary evidence related to material exhibits seized during investigation, their associated forensic examination reports, CDR analysis reports of the mobile numbers which have been revealed during investigation and other circumstantial evidences which conclusively establish the involvement of accused persons in this attack.
- 17.2 The accused **Kisheto (A-4)**, **Khekaho Rochill (A-3)** conspired, funded, planned and assisted in execution of this attack on Assam Rifles. The intention of the accused persons behind this act, was to cause strike terror in the minds of people of India and thereby causing threat to the security and integrity of the country. Accused **Ranjit Thapa @ Karan (A-1)** assisted the cadres involved in the attack.
- 17.3 Sufficient evidence to establish involvement of **Avinash Limbu (A-2)** in the crime has not been forthcoming so far and efforts

are being made in this regard. Therefore a **charge sheet is not** being filed against him.

- 17.4 Sanction for prosecution against the accused persons as per the provisions of section 45 of Unlawful Activities Prevention Act, 1967, as amended, and section 7 of Explosives Substances Act and section 39 of Arms Act, have been obtained from the respective competent authorities.

18. Charge

- 18.1 It is respectfully prayed that this Hon'ble Court may be pleased to take cognizance of the offences as contained in this Charge sheet filed under section 173 of Cr.P.C. read with Section 43-D Clause 2 of the Unlawful Activities (Prevention) Act 1967, and issue due processes against the accused persons namely **Ranjit Thapa @ Karan (A-1), Khekaho Rochill (A-3) and Kisheto Ayem (A-4)** in accordance with law so that prosecution against them is started at the earliest.

Name of the accused	Section of laws
Ranjit Thapa (A-1)	Section 120B read with section 302,307 & 326 of IPC and section 18, 20 of Unlawful Activities Prevention Act, 1967, as amended.
Khekaho Rochill (A-3)	Section 120B read with Section 302,307 & 326 of IPC and section 18, 20 of Unlawful Activities Prevention Act, 1967, as amended.
Kisheto Ayem (A-4)	Section 120B read with Section 302,307 & 326 of IPC and section 16, 18, 20 of Unlawful Activities Prevention Act, 1967, as amended, and Section 23 of Unlawful Activities Prevention Act, 1967, as amended, read with section 4, 5 of Explosives Substances Act and section 25 (1) (B) of Arms Act.

18.2 Further investigation u/s 173(8) Cr.P.C. in respect of the role of absconding accused namely **Kughaito Achumi (A-5), Nasaka I Kinny (A-6), Khutoho (A-7), Atoshe Sema (A-8), Akaho Zhimomi (A-9), Isak Sumi (A-10), Niki Sumi (A-11) & S.S. Khaplang (A-12)** and to establish other aspects of the complete conspiracy involving other co-accused will be continued.

19. **Despatched on** : 23.11.2015

20. **No. of enclosures** : As per annexure A,B,C & D.

21. **List of enclosures**

- (i) Witnesses examined : Separate list attached as **Annexure-A**
- (ii) List of documents : Separate list attached as **Annexure-B**
- (iii) List of articles : Separate list attached as **Annexure-C**
- (iv) List of protected witnesses along with relevant documents and statements. : Separate list attached as **Annexure-D**

Submitted

Signature of I.O

(Vishal Garg)
Supdt. of Police/CIO
NIA, New Delhi

Forwarded by :-

Anurag Tankha,IPS
DIG, New Delhi

Truncated
Vinil Garg