

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Cr. A. (DB) No. 250 of 2026

Omer Bahadur @ Rahul Sen, aged about 24 years, son of Babu Lal Sen,
resident of Ward No.2, Makan No.40, Village-Khajuri Devda, P.O. &
P.S.-Alot, District-Ratlam, State-Madhya Pradesh

... .. **Appellant**

Versus

Union of India through N.I.A.

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
HON'BLE MR. JUSTICE PRADEEP KUMAR SRIVASTAVA

For the Appellant	: Mr. Nishant Kumar Roy, Advocate
For the N.I.A.	: Mr. A.K. Das, Spl.P.P.
	Mr. Vineet Sinha, A.C. to Spl.P.P.

Order No. 04/ Dated: 20th April, 2026

Heard Mr. Nishant Kumar Roy, learned counsel for the appellant
and Mr. Amit Kumar Das, learned Spl.P.P.-N.I.A.

2. This appeal is directed against the order dated 13.01.2026 passed
in Misc. Criminal Application No.2596 of 2025, arising out of Special
N.I.A. Case No. 02 of 2023 in connection with R.C. Case No.
02/2023/NIA/RNC, by the learned Additional Judicial Commissioner-
XVI-cum-Special Judge, NIA, Ranchi, whereby and where under the
prayer for bail of the appellant has been rejected.

3. The prosecution case reveals that the Central Government had
received reliable information that one Faizan Ansari @ Faiz resident of
Millat Colony near Madarsa, District-Lohardaga, Jharkhand, who resides
at Aligarh, Uttar Pradesh, is a member of ISIS and involved in unlawful
activities in association with ISIS operatives based in India and abroad.
It was established that he along with his associates were propagating the
ideologies of ISIS through various social media platforms with an
ultimate objective of carrying out violent terror attacks in India. It was

also learnt that Faizan Ansari had created and administered multiple ISIS aligned cyber groups on Telegram and Instagram platforms for disseminating terrorist propaganda materials including ISIS ventures “Voice of Hind” and “Voice of Khorasan” magazine in order to influence and recruit impressionable youth for carrying out violent attacks in India. Apart from dissemination of inflammatory and radicalizing material, it is also suspected that he had himself created or edited some of these propaganda materials. It had also come to light that the ISIS network of Faizan Ansari was also in the process of radicalizing neo-converts and attracting them to the terrorist fold for enriching the cadre base of ISIS in India. He had adopted stealthy cyber security measures, including usage of virtual numbers, “VPNs and TOR” browsers for communicating with his associates evading law enforcement agencies. The said Faizan Ansari was also in contact with foreign based ISIS handlers who were guiding him in recruitment of radical terror operatives and carrying out violent attacks. He was contemplating doing “Hijrat” (migration) to a foreign based ISIS conflict theatre after completion of his tasks in India.

The Central Government based on such information was of the opinion that a scheduled offence under the National Investigation Agency (NIA) Act, 2008 has been committed and having regard to the gravity of offence and in exercise of the powers conferred under sub-Section 5 of Section 6 read with Section 8 of the National Investigation Agency Act, 2008, the Government of India, Ministry of Home Affairs, CTCR Division vide order F. No. 11011/65/2023/NIA dated 19.07.2023 directed the National Investigation Agency to take up the investigation of the aforesaid case.

4. In compliance to the Government of India, Ministry of Home Affairs, CTCR Division vide order F. No. 11011/65/2023/NIA dated 19.07.2023, the National Investigation Agency, Ranchi, registered the instant case as R.C. No.-02/2023/NIA/RNC dated 19.07.2023 under Sections 120B, 153A & 505 of I.P.C. and Sections 18, 20, 38 & 39 of the Unlawful Activities (Prevention) Act, 1967. The first supplementary charge-sheet was submitted by the N.I.A. bearing Nos. 01/A/2024 dated 11.03.2024.

5. It has been submitted by Mr. Nishant Kumar Roy, learned counsel for the appellant that so far as the appellant is concerned, he has been arrayed as (A-2) in the first supplementary charge-sheet and the entire charge-sheet would reveal that it was Faizan Ansari, (A-1) who was instrumental in influencing and instigating the present appellant to join ISIS. Learned counsel submits that in the entire charge-sheet, no reference has been made of the appellant having indulged in any terrorist act. Learned counsel submits that Sections 39 & 40 of the Unlawful Activities (Prevention) Act, 1967, prescribes a maximum punishment of 10 years rigorous imprisonment and the appellant is in custody since 16.09.2023 and has completed more than 2 years 6 months in custody. Learned counsel further adds that out of 95 charge-sheet witnesses only 38 witnesses have been examined so far and there is no possibility of the trial being concluded in the near future.

6. In the background facts and circumstances of the case as enumerated by him, learned counsel therefore has prayed that the appellant deserves to be released on bail.

7. Mr. Amit Kumar Das, learned Spl.PP-N.I.A. has opposed the

prayer for bail of the appellant and has relied upon the background facts which related to the appellant being also implicated as an accused. It has been submitted that the ISIS has entered into the frame by creating a terror network primarily based on digital warfare and the appellant was actively involved in the online propaganda on behalf of the ISIS and was influencing other citizens to join ISIS. Learned Spl.P.P.-N.I.A. has copiously referred to the first supplementary charge-sheet while submitting that the appellant was connected with various Telegram channels which were advocating Muslim fundamentalist and ISIS ideology and had created different IDs and different names and was also active on several Instagram accounts. Mr. Das has submitted that in course of investigation it has surfaced that the appellant was in connection with *Abu Omar of Syria* through his Instagram ID “Musafir” and various screenshots of the recovery effected from the appellant clearly indicate about his active role in propagating the cause of ISIS. Learned counsel further submits that the trial is in progress and considering the seriousness of allegations leveled against the appellant, the present appeal is liable to be dismissed.

8. The first supplementary charge-sheet has given a brief history about the terrorist organization Islamic State of Iraq and Syria (ISIS) which is an offshoot of Al Qaeda founded by Abu Musab al-Zarqawi in 2004. The role and activities of the appellant who has been arrayed as A-2 in the first supplementary charge-sheet reads as follows:-

17.14 : Role and offences established against accused Rahul

Sen @ Omar Bahadur (A-2):-Accused A-2, being the member and supporter of ISIS, the proscribed organization along with A-1 and

other cadres of ISIS had hatched the conspiracy to carry out Unlawful activities/terrorist acts in India.

A-2 in association with other cadres of ISIS were using various Online Social Media Platform i.e., You Tube, Instagram & Telegram for propagating and disseminating inflammatory and radicalizing materials in support of ISIS.

It is established that accused A-2, being a member of ISIS, a proscribed terrorist organization, is involved in unlawful activities and associated himself with the said organization with intent to further the activities of ISIS.

In this process, accused A-2 criminally conspired with A-1 & others with an intent to carry out Unlawful activities/terrorist acts and to radicalize other persons and conspired with intent to motivate others to join the ISIS, with an intention to indulge in terrorist acts against the Government of India and to support the ISIS organization.

Thereby A-2 committed offences under Sections 120B of IPC & 120B read with Section 295A of IPC and Sections 13, 18, 20, 38 & 39 of UA(P) Act, 1967.

9. The gist of the role and offences established against the appellant as mentioned in paragraph No. 17.14 of the first supplementary charge-sheet is based on a foundation which finds place at paragraph Nos. 17.3.2, 17.4, 17.5, 17.5.1, 17.5.2 & 17.5.3 which reads as follows:-

17.3.2: Investigation established that, accused A-1 being the member and supporter of ISIS, the proscribed organization, along with A-2 and other cadres of ISIS had hatched the conspiracy to carry out terrorist act in India. A-1 in association with other cadres or ISIS was using various Online Social Media Platform ie., YouTube, Instagram & Telegram for propagating and disseminating

inflammatory and radicalizing materials in support of ISIS. A-1 had adopted stealthy cyber security measures, including usage of virtual numbers, VPNs and TOR browsers for communicating with his associate, for evading Law Enforcement Agencies.

17.4: Multiple searches carried out by NIA on 14.09.2024 in six different states, in the instant case: - On the basis of disclosure made by the arrested accused Faizan Ansari @ Faiz (A-1) and from the scrutiny of technical data i.e., CDR/Online Social Media Profiling, on 14.09.2023, multiple searches at-nine locations in six different states i.e., Maharashtra, Goa, Karnataka, Madhya Pradesh, Uttar Pradesh, Punjab and Bihar were carried out by NIA in co-ordination with concerned district police. During the above searches, 08 mobile handsets, 12 SIM Cards, 01 Sd Card, 01 Pen drive, 02 Laptops, Knife -01 and Black Pattka -01 were found incriminating and accordingly the same was seized.

17.5: Arrest, Remand and disclosing facts by arrested accused Omar Bahadur @ Rahul Sen (A-2) in the instant case: On 14.09.2023 search was carried out at the house premises of accused A-2, located at Ratlam, Madhya Pradesh by NIA in the instant case. During checking the mobile handset of the A-2, huge quantity of incriminating digital data and other articles i.e., one Knife -01 and Black Pattka -01 were found and accordingly seized in the instant case. The details are as under: -

Table-01

Sl. No.	Description of the seizer Article	Qty in Pcs	Marked as	Date and Place seizure
01	(1) One Cream Colour Realmi Mobile Phone Model No.-RMX2040 IMEI-1-865136048696310 IMEI-2	01 Mobile and 03 SIM Card (One Sealed Packet)	M-1 A-1 A-2	On 14.09.2023, seized from the house of Omar Bahadur @ Rahul Sen, S/o

	865136048696302 Dual SIM Card (i) One Airtel 4G SIM Card bearing ICCID No.- 8991931801997515744U MB-No. 7223099700 (ii) One JIO Sim Card bearing ICCID-89918630400375992911 MB No.-9685353267 One Idea SIM Card bearing ICCID- 89917821140298343385H-2			Babulal Sen, r/o Vill- Khajuriya Devda, P.O. & P.S.-Alot, District- Ratlam, Madhya Pradesh
02	One Black Colour Knife, length 12 inch with covers bearing USA Columbia788A.	01 Sealed Packet	“A1”	Seized on 14.09.2023, from arrested accused Omar Bahadur @ Rahul Sen , r/o Ratlam, Madhya Pradesh
03	One Black Colour Patka	01 Sealed Packet	“A-2”	Seized on 14.09.2023, from arrested accused Omar Bahadur @ Rahul Sen , r/o Ratlam, Madhya Pradesh

17.5.1: Investigation revealed that, A-2 was caught by RPF in the year 2016 for committing theft of one Hero Honda Deluxe motorcycle from Ujjain Railway station, Ujjain, Madhya Pradesh. During 2020, A-2 purchased a mobile handset and a SIM Card i.e., JIO No. 9685353267 and from the above said mobile handset, A-2 started watching videos, related to ISIS. During which, he noticed a short video of Rabbit and on-going through the comment section, A-2 found an identity with profile name Aisha, wearing a Hizab. To chat with that girl, A-2 changed his profile name from Rahul Sen to "Omar" and subscribed the said YouTube Channel. From the comment section of that YouTube Channel, A-2 asked queries with Aisha. Further, Aisha shared the link of her Telegram Channel, from where A-2 got the mobile number of Aisha. During Chatting

with Aisha on her Telegram Channel, A-2 used to share videos related to ISIS and justifying Islamic fundamentalist. Investigation also revealed that during watching YouTube Videos, A-2 had seen a YouTube channel namely "Life is a Journey", which was later on changed to "Life is a Journey with Melodious" and from that channel, A-2 identified Aisha as Khushi Singh.

17.5.2: Investigation also revealed that after two months in contact with Aisha @ Khushi Singh, she blocked A-2 from her Telegram and YouTube Channels. Thereafter, A-2 started tracking the comment section of Aisha @ Khushi Singh and as well as, started following the followers, who were following the channel of Aisha @ Khushi Singh. During the above said period, A-2 used to post ISIS videos from his "Omar Bahadur" YouTube channel. During tracking the YouTube channel of Aisha @ Khushi Singh, A-2 came in contact with A-1, through his YouTube Channel namely "Faiz Ansari". Thereafter, A-1 & A-2 shared their Telegram channel links and started sharing videos of ISIS and Islamic fundamentalist videos. Investigation also revealed that, A-2 started subscribing the channel & videos, those which were subscribed and comment by A-1. In this meantime, A-1 had shared contact details and Telegram Id of Aisha, which was in the name of Khushi Singh. Thereafter A-2 tried to make contact with Aisha @ Khushi Singh through his "Animal Lover" ID of Telegram, but the same was also blocked by Khushi Singh.

17.5.3: Investigation also revealed that while, A-2 was in contact with A-1, he (i.e., A-1) used to encourage A-2 to join ISIS and motivate impressionable youth to join ISIS. After few days, the Telegram Channel of A-1 was deleted and A-2 lost the contact with A-1. During the course of time A-2 was connected with various

Telegram channels, which were advocating muslim fundamentalist and ISIS ideology, but after sometimes of activeness most of the channels were deactivated / blocked by YouTube and Telegram. A-2 had also created different IDs in different names like "Omar Bahadur", "Khalid", "Daeesi", "Osama Bin Laden", "Bakia", "Dawala" on his Telegram. A-2 was also active on Instagram application as "Musafir", "Sanatani", "Rahulo" and "Rahul Sen". Investigation also revealed that, A-2 was connected with Abu Omar of Syria, through his Instagram ID "Musafir", who enquired about his profile picture, displaying knife and wearing black cloth. In reply, A-2 stated that he is willing to visit Syria to join ISIS organization

10. It also appears from the first supplementary charge-sheet that the statements of P.W.-22, Khusi Singh and P.W.-24, Talha Zarnain recorded under Section 164 Cr.P.C. reveal about the active involvement of the appellant in pursuing more particularly P.W.-22 to convert into Islam and thereafter to join ISIS.

The relevant part of the statements of P.W.-22 & P.W.-24 reads as under:-

17.11.1: Khusi Singh (PW-22):- She stated that, she came in contact with accused Faizan Ansari (A-1) through her YouTube Channel "Life's Journey With Melodies". Accused A-1 got her Telegram ID from the description box of the YouTube Channel. She had shared her Telegram ID in her YouTube Channel, in order to resolve the questions, related with "ANIMAL". Later on, accused A-1 started messaging her through Telegram application. Later, she realized that, Accused A-1 through his chats and messages motivated her and forced her to accept the Islam for further sending her to

join the banned terrorist organization i.e., ISIS. Accused A-1 asked her to abandon Hindu religion and accept Islam, through his radical Islamic speeches. After that, when she blocked accused A-1, he (i.e., A-1) tried to communicate through other user ID's. Further, accused A-1 started communicating to her through accused Omar Bahadur @ Rahul Sen (A-2) and both forced her in the same way and accused persons A-1 & A-2 also asked her to accept Islam and join ISIS. Due to excess pressure, she blocked both of the accused persons i.e, A-1 and A-2, but they started torturing her through their different accounts. Accused A-1 threatened her that, he will abduct and kill her and her family members. Due to which she had also registered a complaint on Women's helpline Desk through her mobile no.xxxxxxx24858. P.W.-22 has also deposed her statement under Section 164 of Cr.P.C. on 10.01.2024 in the instant case.

17.11.2: Talha Zarnain (PW-24):- During 2023, when he was living at Aligarh and working as Digital Marketing representative, he met accused Faizan Ansari (A-1) at a residence of a common friend at Aligarh, Uttar Pradesh. When the room partner of accused "A-1" left the room, accused "A-1" asked him to live with him as room partner. Accordingly, he shifted to his room. Gradually accused "A-1" started preaching him about radical Islam and ISIS. Accused "A-1" used to show him the videos and photographs of ISIS and asked him to join the terrorist group in order get money and Jannat. He was using TOR browsers through his mobile No. and had engraved Insignia of ISIS flag on the walls of his room at Aligarh, Uttar Pradesh. He began to brainwash and coerce him to join the ISIS, a proscribed terrorist organization. Accused "A-1" also showed him the Telegram and stated about one Hindu Girl namely Khushi, whom accused "A-1" was trying to convert to Islam

and to join the banned terrorist group ISIS. He also stated that despite of being blocked by Khushi, accused "A-1" always used to communicate with her through differed IDs. After some days accused "A-1" told him about one Omar Bahadur (A-2), who is a Hindu by religion and now accepted Islam, under the influence of accused "A-1". Accused "A-1" told him that he is motivating Khushi to join ISIS and trying to visit Syria for the cause of ISIS. Accused "A-1" asked him about Khushi and accused "A-2" to carry out Jihad and do Hijrat and also stated that he had already took the "Bayt" to join the ISIS. Accused "A-1" told him that, he knows how to prepare bombs and we can together make huge money through making bombs. A-1 always used to motivate Talha to join ISIS for Jihad and also used to show him the videos of making bombs in his laptop. So, Talha got scared from A-1 and returned to his native place at Siwan, Bihar. PW-24 has also deposed his statement under Section 164 of Cr.P.C. on 11.01.2024 in the instant case.

11. What was transpired from the investigation carried out by the National Investigation Agency and which finds embedded in the first supplementary charge-sheet submitted by it is of the appellant having joined the ISIS and has taken an active part mainly through online mode and being a part of the digital warfare being carried out by ISIS as also propagating its cause and influencing others to join ISIS and in such context various Instagram accounts, Telegram accounts as well as various other incriminating materials have been collected in course of investigation. Merely, because the appellant is in custody since 16.09.2023 and there is no possibility of the trial being concluded in the near future would not be a ground for bail, more particularly in the background facts and circumstances of the active role played by the

appellant in propagating the cause of ISIS in India by various means as enshrined in the first supplementary charge-sheet itself and considering the seriousness of the offences alleged against the appellant, we are not inclined to entertain this appeal and consequently, the same stands dismissed.

12. Pending I.A.(s), if any, stands disposed of.

(Rongon Mukhopadhyay, J.)

(Pradeep Kumar Srivastava, J.)

20.04.2026

Arpit

Uploaded on 15/06/2026