

1. District Darjeeling PS Siliguri Year 2021 FIR No. 362/21 Date 09.5.2021  
2. i) Act IPE Sections 188/269/270 ii) Act \_\_\_\_\_ Sections \_\_\_\_\_  
(iii) Act \_\_\_\_\_ Sections R/W (iv) Others Acts & Sections SI(b) D/M Act 2005

3. (a) Occurrence of Offence : Day \_\_\_\_\_ Date From 09/5/2021 Date To \_\_\_\_\_  
Time Period \_\_\_\_\_ Time From 13.35 hrs. Time To \_\_\_\_\_

(b) Information received at P.S. Date on 09/5/2021 Time 14.25 hrs.  
(c) General Diary Reference - Entry No(s) 415 Time 14.25 hrs.

4. Type of Information \_\_\_\_\_ Written / Oral  /

5. Place of Occurrence (a) Direction and Distance from P.S. \_\_\_\_\_ Beat No. \_\_\_\_\_  
(b) Address Panjabipara, ps. Siliguri, Dist - Darjeeling.

(c) In case outside limit of this Police Station, then the \_\_\_\_\_  
Name of the P.S. \_\_\_\_\_ District \_\_\_\_\_

6. Complainant / Informant :  
(a) Name Ashim Kr. Das, SI of Police

(b) Father's / Husband's Name \_\_\_\_\_ (d) Nationality Indian

(c) Date / Year of Birth \_\_\_\_\_ (e) Passport No. \_\_\_\_\_ Date of Issue \_\_\_\_\_ Place of Issue \_\_\_\_\_

(f) Occupation Govt. Service of W.B. Police  
(g) Address Panitanki JOP-I, PS-Siliguri, Dist - Darjeeling.

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) :  
(i) Lalji Kumar (25) S/o Prabhu Shah (ii) Bipoy Shah (20) S/o Bikhari Shah  
(iii) Mukesh Kumar (26) S/o Jang Bahadur Shah (iv) Birendra Kumar  
S/o Santosh Shah of Birkar A/P Champasari, M.P.-46, PS-Panitanki  
nagar, Dist - Darjeeling.

8. Reasons for delay in reporting by the Complainant / Information \_\_\_\_\_

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : \_\_\_\_\_

10. Total value of properties stolen / involved \_\_\_\_\_

11. Inquest Report / U.D. Case No., if any \_\_\_\_\_

12. FIR Contents (Attach separate sheets, if required) : The original written Complaint of the complainant is treated as FIR which enclosed herewith/ reproduced below.

13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and took up the investigation / directed: ASD Surajit Mallik of Panitanki JOP-I to take up investigation / refused investigation / transferred to P.S. Siliguri on point of jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

14. Signature / Thumb impression \_\_\_\_\_  
of the Complainant / Informant

09/5/2021  
Inspector In-Charge  
Signature of the Officer-In-Charge, Police Station  
Rajni Chatterjee  
Name : \_\_\_\_\_  
Rank : No. SI of Police

15. Date & Time of despatch to the court : on 10/5/21 at 10.30 hrs.

To,  
The Officer-In-Charge  
Panitanki TOP-I  
Under Siliguri Police Station  
Siliguri Police Commissionerate.

Sub : FIR.

Sir,

In producing herewith 04 (four) accused persons namely (1) Lalji Kumar (25) S/O Prabhu Shah, of Padaria Malikan, PS-Mahamad Pur, Dist-Gopalganj (Bihar)A/P Lucky Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (2) Bijay Shah (20) S/O Bikhari Shah of Digama, PS+Dist- Gopalganj (Bihar) A/P Laxmi Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (3) Mukesh Kumar (26) S/O Jang Bahadur Shah of Hajipur, Dist- Baishali (Bihar) A/P Panjabipara, W/No. 13, PS- Siliguri, Dist- Darjeeling (4) Bikash Kumar (21) S/O Santosh Shah of Laguni PS- Panapur, Dist- Chapra (Bihar) A/P Champasari, W/No-46, PS- Pradhannagar, Dist- Darjeeling. under arrest.

I, SI Ashim Kr Das of Panitanki Town Out Post, PS- Siliguri, SPC do hereby lodge a written complaint against the above noted accused persons to the effect that on 09.05.2021 at about 13:35 hrs. while performing Patrolling duty at Panjabipara area and found the above noted arrested persons were open their shops without using face mask. On being asked they disclosed their name as (1) Lalji Kumar (25) S/O Prabhu Shah, of Padaria Malikan, PS-Mahamad Pur, Dist-Gopalganj (Bihar)A/P Lucky Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (2) Bijay Shah (20) S/O Bikhari Shah of Digama, PS+Dist- Gopalganj(Bihar) A/P Laxmi Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (3) Mukesh Kumar (26) S/O Jang Bahadur Shah of Hajipur, Dist- Baishali (Bihar) A/P Panjabipara, W/No. 13, PS- Siliguri, Dist- Darjeeling (4) Bikash Kumar (21) S/O Santosh Shah of Laguni PS- Panapur, Dist- Chapra (Bihar) A/P Champasari, W/No-46, PS- Pradhannagar, Dist- Darjeeling.

On interrogation, it could be learnt that they had no any reason to open their shops without using facial mask during Pandemic disaster situation. Over that some of the local peoples were also annoyed with the accused persons by such an act. Finding no other alternative, I arrested them U/S 41 Cr. P. C as there was no scope to give notice under 41 (A) Cr. P. C. On being asked the above noted persons stated that they were well aware of the Pandemic disaster situation and they were open their shops without facial mask & valid reason. They negligently and malignantly move to spread infection of any decease dangerous to life during Pandemic disaster situation.

Hence, they violated the order of the Govt. of West Bengal duly promulgated in order No 79-CS/2020 dated- 12/04/2020 and Govt of West Bengal vide notification no. 347-I.S.S/2M-24/2020 dated-03/06/2020 and Govt of West Bengal order no. 715-Home (Cons) / RIM (Cons)-92/2021 dated-17/04/2021 and Chief Secretary, Govt. of West Bengal memo no. 486-CS/2021 dated-24/04/2021. The above noted person has intentionally refused to comply with the Govt. order duly promulgated in view of break-out of pandemic COVID-19 throughout the State. Accordingly, I arrested the above noted accused persons U/S 41 Cr. P. C.

Under the above facts and circumstances I pray that a specific case may kindly be initiated against (1) Lalji Kumar (25) S/O Prabhu Shah, of Padaria Malikan, PS-Mahamad Pur, Dist-Gopalganj (Bihar)A/P Lucky Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (2) Bijay Shah (20) S/O Bikhari Shah of Digama, PS+Dist- Gopalganj(Bihar) A/P Laxmi Colony, W/No. 44, PS- Bhaktinagar, Dist- Jalpaiguri (3) Mukesh Kumar (26) S/O Jang Bahadur Shah of Hajipur, Dist- Baishali (Bihar) A/P Panjabipara, W/No. 13, PS- Siliguri, Dist- Darjeeling (4) Bikash Kumar (21) S/O Santosh Shah of Laguni PS- Panapur, Dist- Chapra (Bihar) A/P Champasari, W/No-46, PS- Pradhannagar, Dist- Darjeeling and arrange for its investigation.

Dated : 09.05.2021

Yours Faithfully,

SI Ashim Kr Das  
Panitanki TOP  
Siliguri PS/SPC

Received on 09.05.21 at 14.05h.  
vide Panitanki TOP S.O. ER-187  
dt. 09.05.21 and forwarded to the  
AS to start a specific case under  
Proviso Sec 7. Law. Asst. Secy  
Mullik will investigate the case.

Received on 09.5.21 at  
14.25 hr. vide S/O PS S/O  
No. 415 Dt. 09/5/21 started  
Secy PS Case No. 362/21 28.  
09/5/21 u/s 188/269/270 IPC  
7th Sec 51(b) of DM Act

Officer-in-Charge  
PANITANKI TOP  
P.S. Siliguri  
Dist. Darjeeling

09/5/2021