



FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

4596

PS Pradhannagar Year 2021 FIR No. 590/21 Date 05.08.21
Sections 148/341/354/254B/371/511/203/34 IPC

(iii) Act Sections (iv) Others Acts & Sections

3 (a) Occurrence of Offence : Day Date From since last 6 months Date To Time Period Time From Time To

(b) Information received at P.S. Date 05.08.21 Time 16:35 hrs

(c) General Diary Reference : Entry No(s) 323 Time 16:35 hrs

4 Type of Information Written Written / Oral

5 Place of Occurrence : (a) Direction and Distance from P.S. (b) Address No. 2. Panchanan Colony, Post Ps. Pradhannagar Dist. Darjeeling

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

6 Complainant / Informant : (a) Name Smt. Maya Rani Debnath

(b) Father's / Husband's Name W/o - Lt. Bijoy Debnath

(c) Date / Year of Birth : (d) Nationality Indian

(e) Passport No. Date of Issue : Place of Issue

(f) Occupation (g) Address No. 2. Panchanan Colony, Post Ps. Pradhannagar Dist. Darjeeling

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) :
① Sri Partha Barman w/o. Sri Ramech Barman @ Sri Narollum Barman w/o. Sri Ramech Barman @ Sri Bablu Barman @ Smt. Samura Barman and ② Smt. Tulsi Barman w/o. Sri Bablu Barman all are of No. 2. Panchanan Colony, Post Ps. Pradhannagar Dist. Darjeeling

8. Reasons for delay in reporting by the Complainant / Informant

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 which is Keated at P.B. is enclosed herewith

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 ASI Manoj Kr. Roy to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complain/ 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 , Noted in written complaint. Signature of the Officer-in-Charge, Police Station Name: KAMAL KUMAR ROY Rank : No. SI of Police Const./SP

15. Date & Time of despatch to the court : Dt- 06.08.21 Dt- 05.08.21

Received on 02.08.21 at 16:35 hrs
Bank Case No - 203 dt. 05.08.21 and
State Bank Case No. 590/21 dt. 02.08.21
U/S 115/311/351/354B/216/511/120B/
941R and endorsed to ASI Manoj
K. Roy to investigate the case.

SAMBHUNATH MODAK

BY:- D. V. Nandi
Advocate

IN THE COURT OF THE LD. A.C.J.M. AT SILIGURI

05/08/21 Ref. Misc. Petition No. 21 /2021

Inspector-Incharge
Pradhan Nagar P.S.
Siliguri Police Commissionerate



153
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IN THE MATTER OF:

An application U/S 156(3) of Cr.P.C.

A N D

IN THE MATTER OF:

SMT. MAYA RANI DEBNATH,
Wife of Late Bijay Debnath, aged 59
years, resident of No.2 Panchanan
Colony, P.O. & P.S. Pradhan Nagar,
Dist. Darjeeling.

----- Complainant

Vs.

- 1) **SRI PARTHA BARMAN,**
Son of Sri Ramesh Barman
- 2) **SRI NAROTTUM BARMAN**
Son of Sri Ramesh Barman
- 3) **SRI BABLU BARMAN**
- 4) **SMT. JAMUNA BARMAN**
Wife of Sri Partha Barman
- 5) **SMT. TULSI BARMAN**
Wife of Sri Bablu Barman
all are resident of No.2 Panchanan
Colony, P.O. & P.S. Pradhan Nagar,
Dist. Darjeeling

----- Accused Persons

Date & time of Occurrence : On 09.06.2021 at about 5.30 p.m. at 7 pm

Place of Occurrence : In the house of the complainant at
No.2 Panchanan Colony, P.O. &
P.S. Pradhan Nagar, Dist.
Darjeeling.

Solemnly Affirmed & Declare
before me as Identification

SAMBHUNATH MODAK
Notary (Govt. of India)
Siliguri, Darjeeling



FILINGS

By:-
D. K. Nandi
Advocate

The complainant begs to state as follows:-

- 1) That the complainant is permanently residing along with her two sons at No.2 Panchanan Colony, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling.
- 2) That the complainant is a helpless widow lady. She is working as maid servant door to door and by such income she maintains and supports her family.
- 3) That the accused persons are her near house neighbours.
- 4) That taking the advantage that the complainant is a helpless poor widow lady, several times the Accused Person No.1 Sri Partha Barman, Accused Person No.2 Sri Narottum Barman and Accused Person No.3 Sri Bablu Barman separately used to give bad proposal to her for doing physical relationship with them. They used to follow her with their sexual intention at her house and also out of her house whenever she used to go to different places for her work. They also used to come to her house separately with their such sexual intention and gave such proposal to her but each and every time she refused to do so and requested them not to do such thing with her as she is a helpless poor widow lady.



They were doing so since about last 6 (six) months. She did not disclose the aforesaid facts to anyone due to her family and social prestige and also thought that they might keep her such requests.

That on 09.06.2021 at about 5:30 p.m. the Accused Persons No.1, 2 & 3 namely Partha Barman, Narottum Barman and

Solemnly Affirmed & Declare
before me on Registration
SAMBHUNATH MODAK
Notary (Govt. of India) 5
Siliguri, Darjeeling



RECORDED

By:-
D. K. Nandi
Advocate

Bablu Barman criminally trespassed into the house of the complainant when she was alone in her house. Thereafter the Accused Person No.2 Narottam Barman caught her with his hand and took her whole body within his chest forcefully with sexual intention and the Accused Persons No.1 & 3 namely Partha Barman and Bablu Barman touched the different sensitive parts and organs of her body for sexual enjoyment and all of them started to kiss her on her face and on her different sensitive parts. All of them one after another started to press her breast by their hands. They thereafter disrobed her and laid down her forcefully on the bed for raping her one by one. She raised hue and cry in high voice and for her such voice alarming they fled away from there due to fear as there was many persons and family members are residing in their respective houses in the vicinity and in the adjacent of her house.



They attempted to rape her. In such way they outraged her modesty.

- 6) That they entered into a criminal conspiracy to rape her for their sexual enjoyment and in pursuance for their such conspiracy they committed the aforesaid offences of attempt to rape upon her and outrage her modesty and committed the aforesaid offences in furtherance of their common sexual intention.

Solemnly Affirmed & Declared before me on identification
SAMBHUNATH MODAK
Notary (Govt. of India)
Siliguri, Darjeeling

That on the same day immediately after such occurrence the complainant informed such incident to Accused Person No.4 Smt. Jamuna Barman (who is the wife of the Accused Person No.1 Partha Barman) and Accused Person No.5 Smt. Tulsi



FILE NO. 12/2021

By: D.K. Nandi
Advocate

Barman (who is the wife of Accused Person No.3 Bablu Barman) and requested them for her safety from their such sexual intention. But they (the Accused Persons namely Smt. Jamuna Barman & Smt. Tulsi Barman) stated to her that they would not do anything for her safety from their hands.

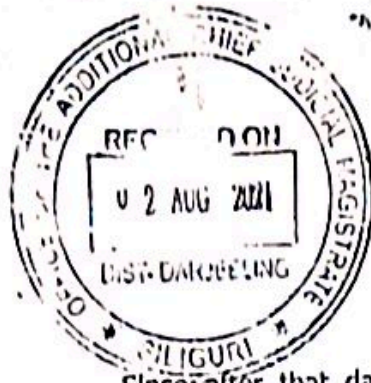
8) That thereafter on the same day i.e. on 09.06.2021 at about 7:00 p.m. the accused persons and their 4/5 associates came to the house of the complainant and caught her and took her to the nearby ground / field by dragging with continuous assault upon her. There they continued to assault her by fists, blows and kicks near about 15 (fifteen) minutes and she raised hallah and hue and cry and seeing that some persons of locality were coming at the spot hearing her scream, they decamped from there giving a threat to her that they will murder her and set fire her house if she disclose the whole aforesaid facts / incidents to anyone or to any authority or file any case against them.

9) That thereafter on the same day i.e. on 09.06.2021 the complainant went to Pradhan Nagar Police Station for lodging F.I.R. against the aforesaid accused persons and culprits but Pradhan Nagar Police told her to come at P.S. on the next day and accordingly on the next day again she went to Pradhan Nagar P.S. for submitting the F.I.R. and Police took her F.I.R. but did not issue / give her the receive copy of her F.I.R. to her and till today the Pradhan Nagar Police has not started investigation of the case.



Solemnly Affirmed & Declare
before me on identification

SAMBHUNATH MODAK
Notary (Govt. of India)
Siliguri, West Bengal



12/08/2021

By:-
D. H. Nandi
Advocate

Since after that day each and everyday she went to Pradhan Nagar P.S. and requested the Police to take action against the aforesaid accused persons and culprits and each and everyday Police assured her that they would do so and at last on 14.07.2021 at about 10:00 a.m. (morning) Police of Pradhan Nagar Police Station told her that they will not register any case on her F.I.R. against the aforesaid accused persons and culprits and will not do any enquiry or investigation in the aforesaid matter and will not take any action against them.

- 10) That finding no other alternative on the same day i.e. on 14.07.2021 the complainant submitted a written complain stating the whole aforesaid facts to the Commissioner of Police, Siliguri, but the Commissioner of Police, Siliguri did not take any step / action against the aforesaid accused persons and culprits.



That the accused persons have committed the aforesaid offences punishable U/S 448 / 341 / 354 / 354B / 376 / 511 / 120B / 34 of I.P.C.

Solemnly Affirmed & Declare
- Before me on identification

Sambhunathi Modak
22/08/2021
SAMBHUNATHI MODAK
Notary (Govt. of India)
Siliguri, Dangeeling

PRAYER

It is, therefore, prayed Your Honour may pleased to direct the O/C, Pradhan Nagar P.S. to investigate the case after treating this petition as an F.I.R. U/S 156(3) of Cr.P.C. and to submit before Your Honour for the ends of justice.

And for this act of kindness the complainant as in duty bound shall ever pray.

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2/8/21



A F F I D A V I T

I, SMT. MAYA RANI DEBNATH, aged about 59 years, Wife of Late Bijay Debnath, Hindu by religion, Private Maid Servant by occupation, resident of No.2 Panchanan Colony, P.O. & P.S. Pradhan Nagar, Dist. Darjeeling, do hereby solemnly affirm and declare as follows:-

- 1) That I am the complainant of this case.
- 2) That no case in connection with the aforesaid incidents has been started at Pradhan Nagar Police Station or at any Police Station.
- 3) That the statements made above are true to the best of my knowledge and belief and the rest is my humble prayer before this Ld. Court and I sign this affidavit on this the 2nd day of August, 2021 at Siliguri.

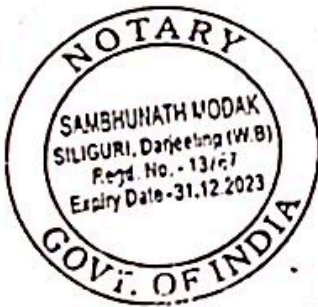
मया रानी देबनाथ

Deponent

Identified by me

D.K. Nandi

Advocate, Siliguri



Solemnly Affirmed & Declare
before me on this date

SAMBHUNATH MODAK
Notary (Govt. of India)
Siliguri, Darjeeling

AFFIDAVIT

Solemnly Affirmed Before me
By... Maya Rani Debnath
of... Siliguri
Identified by... D.K. Nandi
on this the 2nd day of Aug 2021