

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



S.P.C. P.S. Mahigara Year 2022 FIR No. 383/22 Date 20.03.2022

IPC Sections 447/506/34 (i) Act R/W 3(D)(S) Scheduled Sections case & Scheduled (iv) Others Acts & Sections Force (Preven

X Sections N tion of Attraction) Act.

3. (a) Occurrence of Offence : Day Feb 2022 Date From 16.05 hrs Date To 16.05 hrs

Time Period 17.65 Time From 16.05 hrs Time To 16.05 hrs

(b) Information received at P.S. Date 20.03.2022 Time 16.05 hrs

(c) General Diary Reference : Entry No(s) 17.65 Time 16.05 hrs

4. Type of Information : Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 6 km North approx. Beat No. 161, 162, 2163

(b) Address Mouza - Khopolasi New Plot Number 161, 162, 2163

Khahar NO. 2255 JL NO. 01 Under Mahigara PS/SPC

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

6. Complainant / Informant : (a) Name Baganu Tiskey

(b) Father's / Husband's Name It Bhakun Tiskey

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

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

(f) Occupation

(g) Address Mariam Nagar Jhangui New Chunta Mahigara/Doojeling

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : MD Sahikul Hussain, MD Samsul Hussain,

and Imran Hussain

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 which is treated as FIR is enclosed here with 20/3/22

As per kind order of the Officer in Charge, Mahigara Police Station, Siliguri Police Commissionerate

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 Shri Suraj Thakuri SP/SPC to take up investigation / refused investigation / transferred to P.S. 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 Noted in original complaint

15. Date & Time of despatch to the court : 30.03.2022 at 11.00 hrs

Signature of the Officer in Charge, Police Station Anirban Bhattacharya

Name : S.I. of Police

Rank : No. Mahigara PS/SPC

To
The Officer In-charge
Matigara Police Station
Matigara, Dist Darjeeling
West Bengal - 734010

Date: 15/02/2022

Subject: Complaint against Illegal Occupancy Claim of Tribal Land and threat to grab Scheduled Tribe Land.

Respected Sir,

I, Baganu Tirkey, son of Lt. Bhakru Tirkey, recorded raiyat/owner of the subject plot of land which is recorded and accordingly mutated in the Land Revenue Records belonging to Scheduled Tribe, sub-caste "Oraon" and permanent resident of Mariam Nagar, Jhauguri, New Chumta, Darjeeling District, would like to draw your kind attention to the fact that I have a shop in the front of my residence which I had allotted in rent to Md. Rafikul Hussain, permanent resident of Panchkelguri, Matigara, District Darjeeling in the year 2014 in a verbal negotiation of amount of Rs. 4000 (Rupees Four Thousand Only) per month which was under his occupancy till 2019.

I would like to inform you that in 2019 Md. Rafikul ended the verbal agreement which was decided verbally over faith based on good and healthy relationship and he handed over the shop and the key to me in a peaceful manner and the matter was closed. However, he had stopped paying the rent within one year of taking possession of the said shop. During the life time of the said Rafikul Hussain he never claimed title over the said shop room and Rafikul Hussain died in June, 2021.

Now again, as I began to renovate and reconstruct my shop in February, 2022 which was already vacated by Md. Rafikul in 2019; 1. Md. Safikul Hussain (the brother of Md. Rafikul Hussain), 2. Md. Samsul Hussain (the nephew of Md. Rafikul Hussain) and 3. Imran Hussain (son of Md. Rafikul Hussain) appeared at my residence, disturbed me and put obstruction in the construction and threatened me, my sons and used foul language against me, my sons and my daughter in law. The above named persons illegally claimed that Md. Rafikul Hussain had bought the said 10 Kathas of Tribal Land along with the shop described as: Plot No. 14 in Mouza - Khopalasi, Police Station Matigara in District Darjeeling and New Plot numbers: 161, 162 & 163 recorded in Khatian No. 2255, Mouza - Khopalasi, J.L. No. 91 (Schedule of the Land enclosed herewith). You are requested to note that no such agreement was executed between Mr. Rafikul Hussain and me or my sons. Moreover, legally they are by no means eligible to buy Tribal being non tribals. The above mentioned persons have continued to come to my residence time and again and threatened me, my wife, sons and daughter in law and said that they will grab our land at any cost. These are purporting to rely on false and fabricated documents. While I was trying to renovate and reconstruct my shop they disturbed and threatened me of dire consequence.

The above mentioned persons 1. Md. Safikul Hussain, 2. Md. Samsul Hussain and 3. Imran Hussain (son of Md. Rafikul) asked me to give them registration of the subject plot of land by threatening me and my family members. The said persons also abused me and my family members in filthy languages

such as "witch", "uncivilized", "Adivasi lower Caste", "jangli", "randi ka baccha" and many more words of such nature. The said goons appeared in my house multiple times, also in my absence and have pushed and touched my daughter-in-law during such confrontation and threatened me by saying that they would kidnap my said daughter-in-law from our house and rape her in case of not registering the said land to them. The nature of their threat is so severe that my wife and daughter in law have stopped going out of house since the day they have threatened us in such manner. They are not only denying me my right of enjoying my own Scheduled Tribe land but also is putting a hindrance in the daily life and mental well being of me and my family.

Therefore in regard to the aforementioned facts and circumstances, it is my earnest request to you to register an F.I.R. against the said Imran Hussain, Safikul Hussain and Samsul Hussain and take immediate necessary action so that I can complete my construction without any disturbance for which I shall be ever grateful to you.

Enclosure: A : Land Documents of Baganu Tirkey
B : Schedule of Land

Yours Sincerely

बगानु तिरकी

Baganu Tirkey
S/O Lt. Bhakru Tirkey
Mariam Nagar, Jhauguri
New CHumta, Matigara
Darjeeling, West Bengal - 734009
Ph: 8768019249

Received On 29.03.2022 at 16:05 hrs
With UDF NO 1765 Dt 29.03.2022 and
Started Mahgara PS (Case NO 383/22
Dt 29.03.2022) vs 447/506/341PC R/W
Section 3 (1)(a)(b) Scheduled Caste &
Scheduled Tribe (Prevention of Atrocities)
Act & per kind order of DCP(HO)
ISPC Endorced to Shri Suraj Thakuri
ACP/SPC for its investigation.

29/3/22

Officer In-charge
Matigara Police Station
Siliguri Police Commissionerate