

FIRST INFORMATION REPORT (Under Section 154 Cr. P.C.)



1. Dist. Darjeeling P.S. Siliguri Year 2023 FIR No. 821/23 Date 01.10.2023
ii) Act. Sections x ii) Act. Sections x
iii) Act. Sections x iv) Others Acts & Sections 20(1)(2) of COIPA 2003

3. (a) Occurrence of offence : Day Date From Date To 04.10.2023
Time Period Time From 14:15 Pm Time To 15:05 Pm

(b) Information received at P.S. Date 04.10.2023 Time 16:15 Pm

(c) General Diary Reference : Entry No (s) 215 Time 16:15 Pm

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 01 KM approx Beat No.

(b) Address "Srivastava Store", Nayabazar near Mirza Building P.S. - 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 ASI Arghya Das

(b) Father's / Husband's Name (c) Date / Year of Birth (d) Nationality Indian

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

(f) Occupation Govt. Service

(g) Address Enforcement Branch, Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars Amit Srivastava, S/o - Nand Kishore

(Attach separate sheet, if necessary) : Srivastava and others, c/o - Srivastava Store,

located at Nayabazar, near Mirza Building Siliguri, Dist. - Darjeeling

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

9. Particulars

Items valued Rs. 35,970/-, viz. 1) Laka Hitler BLACK Foreign Cigarettes 5 bundles each bundles contain 10 packets, total value Rs 2000/- marked as exhibit "A" and one Packet taken as sample Marked as Exhibit "A1", 2) Paris Special Filter Foreign Cigarettes 6 bundles each bundles contain 10 packets, total value Rs 1920/- marked as exhibit "B" and one Packet taken as sample Marked as Exhibit "B1", 3) ESSE Lights Super Slim Foreign Cigarettes (Made in Korea) 6 bundles each bundles contain 10 packets, total value = Rs 2400/ Marked as exhibit "C" and one Packet taken as sample Marked as Exhibit "C1", 4) ESSE Special Gold Foreign Cigarettes 1 bundle contain 10 packets, total value = Rs 850/-, marked as exhibit "D" and one Packet taken as sample Mark as Exhibit "D1", 5) SHIKHAR Filter King Foreign Cigarettes 14 bundles each bundles contain 10 packets total value = Rs 14,000/- marked as exhibit "E" and one Packet taken as sample Mark as Exhibit "E1" 6) SAHARA Filter Punch Foreign Cigarettes 6 bundles each bundles contain 20 packets total value = Rs 6240/- as exhibit "F" and one Packet taken as sample Mark as Exhibit "F1" 7) KHUKURI Filter Punch Foreign Cigarettes 4 bundles each bundles 20 packets total value = Rs 4400/- as exhibit "G" and one Packet taken as sample Mark as Exhibit "G1" 8) SAHARA Foreign Cigarettes 4 bundles each bundles contain 20 packets total value = Rs 4160/-, Marked as exhibit "H" and one Packet taken as sample Mark as Exhibit "H1",

10. Total

11. Inquirer

12. FIR Co her

13. Actor invest investi jurisd inform

14. Sig of th

15. Date of time of despatch to the court :

Rank : No. S.I. OF POLICE

Siliguri Police Station

Siliguri Police Commissionerate

Signature of Inspector

Signature of Siliguri Police Commissioner

Signature of Inspector

Signature of Siliguri Police Commissioner

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Signature of Inspector

To
The Inspector In-Charge
Siliguri Police Station
Siliguri Police Commissionerate

Dated 04.10.2023

Subject -FLR

Sir,

In producing herewith the arrested accused namely Amit Srivastava S/O Nand Kishore Srivastava C/O Srivastava Store , located at Nayabazar, Near Mirzza Building Siliguri, District-Darjeeling under proper memo of arrest and along with the following seized articles with original seizure list, viz:-

- 1) Laka Hitler BLACK Foreign Cigarettes 5 bundles each bundles contain 10 packets , total value Rs 2000/-marked as exhibit "A" and one Packet taken as sample Marked as Exhibit "AT"
- 2) Paris Special Filter Foreign Cigarettes 6 bundles each bundles contain 10 packets , total value Rs 1920/- marked as exhibit "B" and one Packet taken as sample Marked as Exhibit "BT"
- 3) ESSE Lights ,Super Slim Foreign Cigarettes (Made in Korea) 6 bundles each bundles contain 10 packets , total value = Rs 2400/ Marked as exhibit "C" and one Packet taken as sample Marked as Exhibit "CT"
- 4) ESSE Special Gold Foreign Cigarettes 1 bundle contain 10 packets, total value =Rs 850/- marked as exhibit "D" and one Packet taken as sample Mark as Exhibit "DT"
- 5) SHIKHAR Filter King Foreign Cigarettes 14 bundles each bundles contain 10 packets total value = Rs 14,000/- marked as exhibit "E" and one Packet taken as sample Mark as Exhibit "ET"
- 6) SAHARA Filter Punch Foreign Cigarettes 6 bundles each bundles contain 20 packets total value = Rs 6240/- as exhibit "F" and one Packet taken as sample Mark as Exhibit "FT"
- 7) KHUKURI Filter Punch Foreign Cigarettes 4 bundles each bundles 20 packets total value = Rs 4400/- as exhibit "G"and one Packet taken as sample Mark as Exhibit "GT"
- 8) SAHARA Foreign Cigarettes 4 bundles each bundles contain 20 packets total value = Rs 4160/- Marked as exhibit "H" and one Packet taken as sample Mark as Exhibit "HT"

I, ASI Arghya Das of Enforcement Branch under Siliguri Police Commissionerate do hereby lodge this written complaint against one Amit Srivastava S/O Nand Kishore Srivastava C/O Srivastava Store , located at Nayabazar, Near Mirzza Building Siliguri, District-Darjeeling to the effect that on 04.10.2023 at 12.15 hrs acting on a secret information that the above noted accused person is involved in storing and selling huge quantity of "Foreign country made cigarettes without any valid documents at his shop . Accordingly the Matter was informed to ACP EB SPC . As per direction of the ACP, EB/SPC myself along with ASI Krishna Pada Barman and other officers and force with Lady constable of E.B had been to Nayabazar near mirza Building to verify the veracity of this information vide EB/SPC MCC No. 123/23 dated 04.10.2023. This information was diarized in Siliguri PS vide Siliguri PS G.D.E No. 196 dated 04.10.2023 and accompanied with Siliguri PS C.S Van 1 officer SI Kan Kan Paul C/579 K.P Sarkar, CV 827 M.K Jaiswal all of Siliguri PS vide Siliguri PS MCC No 2203/23 Dt.04.10.23 had been to "Srivastava Store" located at Nayabazar near mirza Building PS- Siliguri , Dist-Darjeeling to work out the information. During this I also brief them about the information in hand and requested them to accompany with us during search and seizure.

On proper identification of the shop by Source at about 13.30 hrs we reached at "Srivastava Store" of Nayabazar Siliguri. On reach at the shop found the above accused namely Amit Srivastava is selling the items in his shop.

I along with other officer and force gave our proper identification to him and held raid in the Shop styled as "Srivastava Store". On search above noted foreign made cigarettes were found at his shop. On demand the shop keeper namely Amit Srivastava failed to produce any valid documents or license for the sale of foreign made cigarettes thereby, violating the provisions of law in respect of Storing and Selling the same to the public for his wrongful gain. The above noted person storing and selling "Foreign made Cigarettes" in open to the market/public and huge quantity of "Foreign made Cigarettes" were kept in his shop. It is found that "Srivastava Store" illegally smuggled and illegally stored Foreign made cigarettes violating different government regulation including Section 20 (1) (2) of COTPA-2003.

Accordingly I seized the above noted items from the possession of accused Amit Srivastava S/O Nand Kishore Srivastava C/O Srivastava Store, located at Nayabazar, Near Mirzza Building Siliguri, District-Darjeeling in presence of local witnesses with proper seizure list. The seizure was made in between 14:15 hrs. to 15:05 hrs. and arrested the said accused preparing proper memo of arrest, Inspection Memo and Check List. The total value of seized article is approx Rs 35,970/-.

The accused Amit Srivastava S/O Nand Kishore Srivastava and others C/O Srivastava Store, located at Nayabazar, Near Mirzza Building Siliguri, District-Darjeeling is found to be prima facie guilty of the following offences-

- Selling and storing Foreign cigarettes without any legal documents & specified warning.
- Cheating the government of revenues.
- Knowingly disobeying order promulgated by the Government Servant.

Hence it is prayed that a case may kindly be lodged against Amit Srivastava S/O Nand Kishore Srivastava and others C/O Srivastava Store, located at Nayabazar, Near Mirzza Building Siliguri, District-Darjeeling U/S - 420/188/34 IPC r/w sec 20(1)(2) of COTPA - 2003 and arrange for its investigation.

- Enclosed:-
- 1) Original Seizure list.
 - 2) Memo of Arrest with inspection Memo
 - 3) Check List.

Received on 04.10.2023 at 16:15 Hr.
vide Siliguri P.S. GDE No. 215, date -
04.10.2023 and started Siliguri P.S.
case no. 821/23, date - 04.10.2023,
u/s 420/188/34 IPC r/w Sec. 20(1)(2)
of COTPA 2003. SI Goutam Kundy
has been endorsed for investigation.

Yours faithfully,
AS Arghya Das
04.10.2023
(AS Arghya Das)
Enforcement Branch

Siliguri Police Commissionerate

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04.10.2023
Inspector-In-Charge
Siliguri Police Station
Siliguri Police Commissionerate