



FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

173 BNSS

1742

Darjeeling P.S. Bagdogra Year 2024 FIR No. 346/24 Date 23.10.24

2. i) Act BNS Sections 288/287 ii) Act Sections

iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 23.10.24 Date To Time Period Time From 14:10 hrs Time To 15:09 hrs

(b) Information received at P.S. Date 23.10.24 Time 16:05 hrs

(c) General Diary Reference : Entry No (s) 1097 Time 16:05 hrs

4. Type of Information Written Written / Oral

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

(b) Address Panighata Road, P.S - Bagdogra Upper Bagdogra

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

6. Complainant / Informant :

(a) Name SI Debabrata Kundu (89272 48999)

(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 SI of WB Police

(g) Address Bagdogra Police station.

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) 1 Raj kishor Prasad Gupta (42/m); s/o- Raim kebal Prasad of Panighata Road, Upper Bagdogra, P.S - Bagdogra.

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

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

1 100 packets Samins Rhino Power chocolate firecrackers 2 120 Pkts of Jyomog chocolate Junior firecrackers 3 10 bundle King Kobra electric 4 10 Pkts POP POP crackers 5 05 Pcs Royal electric sparklers.

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, enclosed here with.

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 SI Arindam Saha of BDR P.S to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant informant free of cost.

On the original written complaint

14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge

Name SI Partha

Rank : No. O/C BDR

23/10/2024 Officer-in-Charge SLG Bagdogra P.S. Siliguri Metropolitan Police

To,
The Officer-in-Charge,
Bagdogra Police Station,
Siliguri Police Commissionerate

Sub: F.I.R.

Sir,

In producing herewith one accused person namely Raj Kishor Prasad Gupta, aged 42 years, s/o- Ram Kebal Prasad, resident of Panighata Road, Upper Bagdogra, PS- Bagdogra, Dist- Darjeeling (not verified) under custody along with following banned fire crackers under proper seizure list:

Received
on 23.10.24
at 16:05
has vide
GDE 10917
Dt 23.10.24
started
BDR P.S
Case No
346/24 Dt
23.10.24
u/s 288/287
of BNS
endorsed to
SI Arindam
Saha for
its in vesti-
gation.

- (i) 100 packets (each contains 10 pcs: total 1000 pcs) Samim's Rhino power Chocolate firecrackers.
- (ii) 120 packets (each contains 12 pcs: total 1440 pcs) JUGMUG Chocolate Junior firecrackers.
- (iii) 10 bundles (each contains 50 packets: total 500 packets) King Cobra Electric Crackers (locally known as Lanka Crackers).
- (iv) 10 packets (each contains 50 boxes: total 500 boxes) POP POP crackers.
- (v) 05 pcs Royal Electric Sparklers.

I, SI Debabrata Kundu of Bagdogra PS, S.P.C, Dist- Darjeeling, do hereby lodge this written complaint against the above mentioned arrested accused person to the effect that on 23.10.24 at 14:10 hrs I received secret source information that a huge quantity of banned fire crackers is stored at the shop cum house of one suspect namely Raj Kishor Prasad Gupta at Panighata Road, Upper Bagdogra and the same has been selling illegally from that shop. Accordingly, I informed the matter to O/C Bagdogra PS and diarized the matter in GD vides Bagdogra PS GDE No. 1090 dated 23.10.2024. Then as per direction of O/C Bagdogra PS I along with ASI Amit Lama, ASI Munna Ahmed, C/1509 Sourav Roy Sarkar, LCV/210 Jayashree Roy, VP/01 Ansalam Kujur, VP/02 Pradip Roy, CV/386 Kishor Ranjan Howladar left for Panighata Road, Upper Bagdogra to verify the veracity of secret source information. This refers to Bagdogra PS GDE No. 1091 dated 23.10.2024. At around 14:25 hrs we reached at Panighata Road, Upper Bagdogra. On being shown and indication by the source, we held raid at the grocery shop cum house of the suspect. On search, the above mentioned banned firecrackers were recovered. I asked the owner of the shop cum house to produce any valid license for storing & selling banned fire crackers. But he could not produce any such document. I informed him that he has disobeyed the orders of the Hon'ble supreme Court of India vide Judgment dated 23.10.2018 in W.P(C) No. 728 of 2015 and directives of Hon'ble National green Tribunal in O.A. No. 249/2020 dated 09.11.2020 and 01.12.2020 duly promulgated in all electronic and print media vide memo No. 321-3L/WPB-E(VI)/2020 dated 26/10/2021 of West Bengal Pollution Control Board that "... there shall be a complete ban on the sale and bursting of all kinds of fire crackers, except green crackers in the State of West Bengal, till further orders in this respect ..." On being asked the shop owner revealed his identity as noted above and confessed that he has been selling such type of banned fire crackers for his profitable gain. He also stated that he was acquainted with the fact that the sale and purchase of all type of fire crackers are banned this year as per order of the Apex Court. There is a reasonable ground that the alleged accused has been negligently and illegally selling those banned fire crackers without any valid license or permission endangering the human life and has also violated the Govt. order. Accordingly, I seized the above mentioned banned fire crackers under proper seizure list and arrested the accused person after observing all legal formalities telling him the ground of arrest for violating the Govt. order and issued him Memo of Arrest in this regard. The process of search, seizure & arrest was made in between 14:28 hrs and 15:09 hrs on 23.10.2024. The entire process of search, seizure & arrest is done through audio-video electronic means using mobile phone and then the same audio-video record is converted to a pen drive using computer system.

23/10/24
Officer-in-charge
Bagdogra P.S.
Siliguri Metropolitan

Under the above fact and circumstances, I request you to lodge an F.I.R. against the arrested accused person namely Raj Kishor Prasad Gupta, aged 42 years, s/o- Ram Kebal Prasad, resident of Panighata Road, Upper Bagdogra, PS- Bagdogra, Dist- Darjeeling (not verified) under proper section of law and arrange for its investigation.

Enclosure

1. Memo of Arrest
2. Seizure List
3. Check List
4. Pen Dive (SanDisk 16 GB)
5. Certificate u/s 63(4)(C) BSA

Yours faithfully,
SI Debabrata Kundu
23.10.24
(SI Debabrata Kundu)
PS- Bagdogra, S.P.C.