

## FIRST INFORMATION REPORT

1816

First information of a cognizable crime reported under section 154 Cr. P.C. at P. S.

1. District Kumargram Sub-Divn P.S. Year 2022 FIR No 16/22 Date 8.01.22
2. i) Act IPC Sections 326/414/415/417 ii) Act IPC Sections 326/414/415/417
- iii) Act Cr.P.C. Sections 71/71A/72 of the Cr.P.C. iv) Other Acts & Sections Act 2003
3. a) General Diary Reference Entry No. 251 dt. 8.1.22 Time 20:10 hrs.
- b) Occurrence of Offence : Day Saturday Date 8.1.22 Time 14:15 hrs.
- (c) Information of Offence : Day Saturday Date 8.1.22 Time 20:10 hrs.
- G.D. No. 251 at the Police Station.
4. Type of Information : Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. 12 Km South from P.S.
- (b) Address Near Barvisha Choudhary NHBIC PS-Kumargram Dist-APD
- Beat No.
- (c) In case outside limit of this Police Station, then the name of P.S.  District
6. Complaint / Information :
- (a) Name Nayan R.R.S
- (b) Father's/Husband's Name SI of police Barvisha CP
- (c) Date/Year of Birth
- (d) Nationality Indian
- (e) Address Barvisha CP Post PS-Kumargram Dist-APD
7. Details of Know/suspected/unknown/accused with full particulars Duklesh Kumar (23 yrs) SI of police Singh of Jagdishpur PS-Bazirpur Dist-Saran (Bihar)
- (attach separate sheets, if necessary)
8. Reasons for delay in reporting by the Complainant/informant

## 9. Particulars of properties stolen/involved : (Attach separate sheets, if required)

① one vehicle registration no. DSRMC-6614 yellow/green color.

2) 18 (Eighteen) cartons containing cigarettes of 'WU' brand made under the authority Hongyunghe Tobacco (Group) Co. Ltd. Each big carton contains 50 (fifty) medium packets of cigarettes. Each medium packet contains 10 (Ten) mini (regular size packets) packets. Each mini packet contains 20 (Twenty) king size cigarettes. (Total 180000 pieces of cigarettes). 3) 06 (Six) cartons containing cigarettes of 'DUNHILL' brand made under the authority of Dunhill Tobacco of London Ltd. Each big carton contains 50 (fifty) medium packets of cigarettes. Each medium packet contains 10 (Ten) mini (regular size packets) packets. Each mini packet contains 20 (Twenty) king size cigarettes. (Total 60000 pieces of cigarettes). 4) 10 (Ten) cartons containing cigarettes of 'ESSE light' super slim brand made under the authority of KT&G, Korea. Each big carton contains 50 (fifty) medium packets of cigarettes. Each medium packet contains 10 (Ten) mini (regular size packets) packets. Each mini packet contains 20 (Twenty) king size cigarettes. (Total 100000 pieces of cigarettes). 5) 12 (Twelve) cartons containing cigarettes of 'ESSE SPECIAL GOLD' super slim brand made under the authority of KT&G, Korea. Each big carton contains 50 (fifty) medium packets of cigarettes. Each medium packet contains 10 (Ten) mini (regular size packets) packets. Each mini packet contains 20 (Twenty) king size cigarettes. (Total 120000 pieces of cigarettes) having total worth of Rs. 4500000/- (Forty five lakhs)

registered the case and took up investigation/directed SI. Sarat Chandra

to take up the 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.

Taken on Original  
Written Complaint  
 Signature / Thumb Impression of  
 the Complainant/informant

8.01.22  
 Signature of the Officer-in-Charge, Police Station  
 Name Agib Khasim Khan  
 Rank SI of police  
 Number, if any PS-Kumargram Dist-APD

To  
The Inspector-in-Charge  
Kumargram P.S

Sub: FIR

Date 08.01.2022

Sir,

In producing herewith accused Driver namely Uddesh Kumar (M/23 Yrs.) S/o- Munna Singh of Jagdishpur, PO Arbindnagar, PS Dariyapur, Dist Saran, Bihar along with following seized articles viz

- 1) One TATA truck (container/small) bearing registration no AS 01/BC 6614, colour yellow/green.
- 2) 18 (Eighteen) cartoons containing cigarettes of 'WIN' brand made under the authority Hongyunhonghe Tobacco (Group) Co. Ltd. Each big carton contains 50(fifty) medium packets of cigarettes. Each medium packet contains 10 (Ten) mini (regular size packets) packets. Each mini packet contains 20(Twenty) king size cigarettes. (Total 180000 pieces of cigarettes).
- 3) 06 (Six) cartoons containing cigarettes of 'DUNHILL' brand made under the authority of Dunhill Tobacco of London Ltd. Each big carton contains 50(fifty) medium packets of cigarettes. Each medium packet contains 10(Ten) mini (regular size packets) packets. Each mini packet contains 20 (twenty) king size cigarettes. (Total 60000 pieces cigarettes).
- 4) 10 (Ten) cartoons containing cigarettes of 'ESSE light' super slim brand made under the authority of KT&G, Korea. Each big cartons contains 50(fifty) medium packets of cigarettes. Each medium packet contains 10(Ten) mini (regular size packets) packets. Each mini packet contains 20(twenty) king size cigarettes. (Total 100000 pieces cigarette).
- 5) 12 (Twelve) cartoons containing cigarettes of 'ESSE SPECIAL GOLD' super slim brand made under the authority of KT&G, Korea. Each big cartoon contains 50(fifty) medium packets of cigarettes. Each medium packet contains 10(Ten) mini (regular size packets) packets. Each mini packet contains 20 (twenty) king size cigarettes. (Total 120000 pieces cigarettes) having total worth of Rs. 4500000/- (Forty five lakhs) approx.

I, SI Nayan Das, O/C Barobisha out Post Under Kumargram PS Dist Alipurduar submitting this written complaint to the effect that today on 08/01/2022 at about 14.15 hrs. I, along with ASI Debasish Roy, C/321 Pradip Roy, C/561 Ranesh Ghosh (SAP 10<sup>th</sup> Bn.) including CVF/151Suvankar Debnath, CVF/114 Dipankar Barman, CVF/147 Subendu Saha, CVF/134 Premananda Saha have been Performing Naka checking duty on NH-31C at Barobisha Chowpathy, vide Barobisha OP GDE no- 272 Dated- 08/01/2022. In course of Naka checking duty at Barobisha Chowpathy the above noted vehicle was proceeding towards Siliguri side via NH-31-C from Assam side. I stopped the said loaded vehicle near Barobisha Chowpathy, NH-31C and on being search found the above noted vehicle loaded with some cartoons. During search, I found the cartoons fully loaded with different types of foreign country made cigarettes. Later on demand the above noted driver has disclosed his name and addresses as noted above. I requested the driver as above noted to produce all the documents as to justify in respect of carrying the above noted foreign brand cigarettes, but the driver failed to produce any such documents. It's believed that the driver procured the above noted articles fraudulently or by committing theft with an objective to dispose the same somewhere in Kolkata for his wrongful gain by skipping revenues and GST to the Government for making money by unfair means. Later during interrogation the driver confessed his guilt by stating that he was transporting those articles from Guwahati, Assam. Accordingly I arrested the above noted driver informing the ground of arrest and seized the vehicle loaded with huge quantity of foreign brand cigarettes after preparing seizure list and memo of arrest in presence of the independent witnesses. All the seized Cigarette Cartoons are duly labeled following legal procedures.



From the above noted facts, circumstances and seizure of incriminating articles, there is reason to believe that the driver procured the foreign country made cigarettes fraudulently or by committing theft and the driver was on his way to clandestine disposal to somewhere else in Kolkata for his huge wrongful gain by skipping payment of revenues and GST to the Government West Bengal and India as well for making money by unfair means. Later during interrogation the driver confessed his guilt. This illegal transportation of cigarette consignment not only attracts the violation of provision under Major Act, it also clearly attracts the violation of provisions under COTPA Act, 2003, (The Cigarettes and other Tobacco Products, Prohibition of Advertisement and Regulation Of Trade and Commerce, Production, Supply And Distribution Act 2003) as this product are not meant for sale or transportation in India illegally.

Therefore, I request you to kindly start a specific case under proper section of law against the driver namely Uddesh Kumar (M/23 Yrs.) S/o- Munna Singh of Jagdishpur, PO Arbindnagar, PS Daryapur, Dist Saran, Bihar and others and arrange for its investigation.

Enclosed:

1. Memo of arrest
2. Seizure list

Yours Faithfully

(SI Nayan Das)  
Of Barobisha OP,  
PS Kumargram  
Dist-Alipurdar

Received on- 08.01.22 at 20:10 hrs.  
Vide GOEND-25 and dated Kumargram  
PS Case no-16/22 dt 8.1.22 U.S-379/111/114 3 PC  
S/N SEC 7/13/16/20 of the COTPA Act-2003.

08.01.22  
Inspector in charge  
PS Kumargram Dist Alipurdar