

FORM 54
ACCIDENT INFORMATION REPORT
(Rule 150(1) of Central Motor Vehicle Rule 1989)

1. Name of the police station : Lava Police Station.

2. CR No/ Traffic Accident Report (FIR/Crime No) : Lava P.S. case No. 19/23 Date- 05.06.23
U/S 279/337/338/304(A) IPC.

3. Date, time and place of the accident : On 05/06/23 at 00:50 hrs, Andheri Rangpo Ps-Lava
Dist:Kalimpong WB

4. Name and full Address of the injured / deceased of 10th Mile : (1) (Deceased) Lakpa Sherpa @ Gurung S/O Dal Gurung
Tarkhola, PS-Lava, Dist:Kalimpong.
(2) (Injured) Ravi Sunar S/O Rajen Sunar Rhenock Aritar
Ps-Rhenock
East sikkim.

5. Name of the hospital to which he /she was Examined/Forward : Rangpo Hospital, Sikkim

6. Registration number and type of vehicle : SK-08-D-0169 (ECOMET)

7. Driving license particulars:

(a) Name and address of the Driver : Binod Biswakarma S/O Dil Bahadur Biswakarma of
Manchu Forest village, Rangpo, PS-Lava, Dist: Kalimpong

(b) Driving license number and date of expiry : WB-782015007943 valid upto 06.12.2023

(c) Address of the issuing authority : RTO Kalimpong

(d) Regd. No. in case of Public service vehicle : N/A

8. Name and address of the owner of the vehicle at the time of the accident. : Bechan Prasad S/O Lt. Ram Chandra Prasad of Rangpo
Mandi Bazar, PS- Rangpo,Dist: Pakyong,East sikkim

9. (I) Name and address of the insurance company : TATA AIG Insurance Company
With whom the vehicle was insured and the
Particulars of the Divisional Office of the said
Insurance Company

10. Number of Insurance Policy : 01618559480100 valid upto 06.06.2023.
/ Insurance Certificate and the
Date of Validity of the Insurance
Policy/ Insurance Certificate

11. Registration Particulars of the vehicle (Class of the vehicle) : SK-08-D-0169 (ECOMET)

12. Registration No & Class of vehicle : SK-08-D-0169 (ECOMET)

Engine No. : LJHZ402837
Chassis No. : MB1A3GCD8LRJD8179

13. Route Permit his particulars: - N/A

14. Action taken if any and the result there on: : Lava P.S. case No. 19/23 Date- 05.06.23
U/S 279/337/338/304(A) IPC.

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

919

Dist Kalimpong P.S. Lava Year 2023 FIR No. 19/23 Date 05/06/2023
i) Act I.P.C. Sections 279/227/228/201A I.P.C. (ii) Act _____

(iii) Act _____ Sections _____ (iv) Others Acts & Sections _____
(a) Occurrence of Offence : Day Monday Date From _____ Date To 05/06/2023
Time Period _____ Time From _____ Time To 00:50 hrs.

(b) Information received at P.S. Date 05/06/2023 Time _____
(c) General Diary Reference : Entry No(s) 134 Time 18:05 hrs.

Type of Information : _____ Written / Oral _____
Place of Occurrence : (a) Direction and Distance from P.S. Approx. 32 km North Beat No. J.L. No. 02 (one)
(d) Address: Andheei, NH-10, Rangpo, AS-Lava, Dist: Kalimpong.

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

Complainant / Informant :
(a) Name Beehan Prasad
(b) Father's / Husband's Name H. Ram chendra Prasad
(c) Date / Year of Birth _____ (d) Nationality Indian
(e) Passport No. _____ Date of Issue _____ Place of Issue _____
(f) Occupation _____
(g) Address Mandi Bagat, AS-Rangpo, South Sixkm

Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary):
Binod Biswakarma s/o Dil Bahadur Biswakarma of Mangchu Forest Village, Rangpo, AS-Lava Dist: Kalimpong.

Reasons for delay in reporting by the Complainant / Information

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

Total value of properties stolen / involved _____

Inquest Report / U.D. Case No., if any _____

FIR Contents (Attach separate sheets, if required): The original written complaint which is treated as FIR is attached herewith/reproduced overleaf.

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. Jonathan Lapcha of Rangpo CR under law PS 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.

OPPO A31
2023/06/07 10:11

[Signature] 05/16/2023,
Officer-in-charge
Lava Police Station,
Signature of the Officer-in-Charge, Police Station

OPPO A31
2023/06/07 10

10,

The Officer Incharge
Rangpo check post
West Bengal. P.S. Lava
District. Kalimpong

Subject FIR.

Date: 05/06/2023

Respected, sir,

With due respect and humble submission

I, Bechan Prasad S/o of Lt. Ram Chandra Prasad Rangpo
Mandi Bazar, Rangpo Sikkim and owner of vehicle. I would
like to inform you that, my vehicle bearing no:
SK-08-D-0169, Ecomet Tata, was coming from Tarkhola
towards Rangpo road, around, 00:50 hrs date:- 05/06/23
Midnight got accident on the Anthesi NH-10 road.
Ecomet tata has fallen down approx 200 feet, along with
three person. main Ecomet driver name Binod Biswas
has run away from vehicle and two persons, were sent
to the Rangpo Government hospital, Mr, Lakpa Sherpa
K/o of Tarkhola District, Kalimpong were treatment was
going on hospital at Rangpo he got expired death
on Rangpo hospital. Mr, Ravi Kumar were refer to
Singtam hospital and treatment is going on the
hospital.

I, would be very thankful if you kindly
grant my application on above reminded Subject

Received Rangpo C.P.
Thank you
Ct. No. 120 Dt 16:45 hrs yours faithfully
Dt. 05/06/23
Bechan Prasad
for warded to P.S. Lava R/o Mandi Bazar
P.S for specific case Rangpo Sikkim

Signature
Officer Incharge
Rangpo Check Post
Dist. Kalimpong

contact no - 977 599 00 01

recd at Lava
on 05/06/23 vide
E.No. 124 started
a P.S case No. 19/23
05/06/23 u/s 279/304
38/304 A.P.R. and endorsed
to SI. Jonathan Lepcha of
Lava P.S. for



UNION OF INDIA Driving Licence



WB78 2015 0079743

Date of Issue 27-11-2015 Validity 06-12-2035

Date of Birth 07-12-1995 Blood Group B+



Name

BINOD BISWAKARMA

Father's Name

DIL BAHADUR BISWAKARMA

WB78 2015 0079743

MCVG 27-11-2015

LMV 27-11-2015

LMV-TR 13-05-2017

TRANS 17-12-2017

Present Address MAMKHOLA FOREST BUSTY RANGPO, MUSONG CINCHONA PLANTATION, KALIMPONG, KALIMPONG - II KALIMPONG, WB, 734315

Mobile No. *****6684

Endorsement Date 23-05-2022

Endorsement No. WB78 /DLR/0001388/2022

Dr

Holder's Signature

ASIM

Issuing Authority LA KALIMPONG

Form 7 (Use 11/2)

S.T.N.M. HOSPITAL, GANGTOK
DEPARTMENT OF HEALTH CARE, HUMAN SERVICES & FAMILY WELFARE
GOVERNMENT OF SIKKIM
Medicolegal Examination Report

No. _____ Name DAVI SUNAR Son/Daughter/Wife of Mrs. Binla Sunar Age 29 sex M Identification Mark _____
 Residence Rhenock Brought By Mr. Rhan Sunar Date & Time of Examination 5/6/23
 Date _____ Address Rhenock

Items handed over to POLICE

- Injury Report
- Very Pain c BIL hip joint.
- ⇒ Fracture left femur bone
- _____
- _____
- _____
- _____
- Name _____
- Signature _____

Information Self + Partner (Rhan Sunar)
 Brief History: Pl was helped from symptoms & alleged lto rth leg occurred at around 1:30pm at morning drive one day back.
etc: BP: 125/80mmHg
Dr: Enalapril
Sgn: 297R/L
Wt: 65kg
Pl was admitted 2 months ago
Fracture Pelvis (some left)
Fracture Femur
2) pain over the BIL hip left > R
1) Pain over the left chest

CONSENT FOR EXAMINATION
 I hereby consent for the Medical examination of myself/my ward
 Signature/Thumb Impression _____
 Name _____
 Patient/Guardian

Name of Injury: Simple, Gross Fracture
 The kind of weapon used or posture suspected: _____
 Signature _____
 Name Dr. Binla Sunar
 Designation G.P.M.D.

Name of Injury: Simple, Gross Fracture
 The kind of weapon used or posture suspected: _____
 Signature _____
 Name Dr. Binla Sunar
 Designation G.P.M.D.

Date.....08-06-2023.....

MECHANICAL EXAMINATION REPORT

PS :LAVA.Kalimpong.

Ref.: RANGPO, C.P. D/R, No, 310 /2023. Dated. 06-06-2023.

Case No. / M.A Case No. : 19 /2023. Dated. 05-06-2023. U /S, 279 /338 /304. A. IPC.

Name and designation of the Motor Vehicle
Inspector/Expert : Bholanath Baruri / Automobile Engineer / Mechanical Expert .

Venue and Date of Examination : Infront of Rangpo Check Post on 08-06-2023.

1. Details of the Vehicle, (Attach close view and long view photo)

- a. Make ASHOKLEYLAND LTD .
- b. Type ECOMET 1214 OPEN TRUCK .
- c. Model 2020 .
- d. Registration Number SK 08 D 0169 .
- e. Chassis Number MB1A3GCD8 LRJD 8179 .
- f. Engine Number EJH 240 2837 .
- g. Colour BROWN .

h. Distinguishing Features (Basically please write if the vehicle can be identified without the registration number like some specific Name / Painting on the Body / Windscreen etc)

Nil .

1. General Description from outside - Eye View -

a. Point of contact between the vehicles and signs of exchange of paint-

Nil .

b. Description of damage caused (specify)-

Front show, bumper, mudguard, both side door, driver's cabin, rear open truck body, front and rear both side road spring, tierod, druglink, radiator, waterpump, engine fan, chassis is badly damage and front windshield glass, all door glass, both side sideview mirror, both side head light, front and rear both side brake and indicator light is broken .

c. Any other point of interest-

Nil .

Certificate Of Insurance and Policy Schedule Form 51 of the Central Motor Vehicle Rules, 1989

Owner/Producer Name: BHASWATI MITRA

Broker License Code: POSPAJUMP7270K; Agent/Broker Contact No.: 9832495545

Policy No.: 01G1B5594B 01 00	Policy Type: Auto Secure - Commercial Vehicle Package Policy
Period of Insurance: From 16:42 Hrs on 07/06/2022	Date of Expiry: To midnight of 06/06/2023
Insured Name & Address: MR BECHAN PRASAD S/O- SHRI RAMCHANDRA PARASAD MANDI BAZAR, PCO MOBILE SHOP, RANGPO NAGAR MAMRING, EAST SIKKIM RANGPO - 737132 SOUTH DISTRICT SIKKIM INDIA Place of supply -SIKKIM State code -11	Premium (Incl. of all tax/cess): ₹ 46363 Insured Business/Profession: OTHER Geographical Area: India Registration Authority: SIKKIM MPA / Hyp / Lease to: HINDUJA LAYLAND FINANCE LTD

Registration No.	Make & Model	Body Type	Mfg Year	Gross Vehicle Weight	Cubic Capacity/KW	Public Carrier / Private Carrier	Engine No	Chassis No
SK 08 D 0169	ASHOK LEYLAND ECOMET - 1214	TRUCK	2020	16200		Goods Carrying Vehicle	1BA/402H37	ME 1A30CUMH08B
IDV of Vehicle (-)	IDV of Trailer(-)	Bi-Fuel/CNG/LPG Kit(-)	IDV of non-built-in Accessories(-)		IDV of Externally Registered Built Body Type (-)		Registered seating capacity including driver	Total Insured Declared Values (-)
1,350,000.00	0.00	0.00	Electrical	Non-Electrical	0.00		3	1,350,000.00

A. OWN DAMAGE		B. LIABILITY	
Premium on Vehicle and non electrical accessories	₹ 4,889.44	Basic	₹ 35,313.
Cover for lamps,tyres,tubes (IMT 23)	₹ 733.42	Add : Legal Liability to paid driver as per (IMT 28)	₹ 50.
A. TOTAL OWN DAMAGE PREMIUM	₹ 5,622.86	Liability to Employee (IMT 39)	₹ 100.
C. TOTAL ADD ON PREMIUM	₹ 0.00	Net Basic Liability Premium(B)	₹ 35,313.
Net Own Damage Premium(A+C)	₹ 5,622.86	GST on Basic Liability Premium	₹ 4,238.
GST on Own Damage Section :	₹ 1,012.00	IGST @12 %	₹ 27.
IGST @18 %		Net Other Liability Premium(D)	₹ 150.
		GST on Other Liability Cover	₹ 27.
		IGST @18 %	₹ 27.
		COMPREHENSIVE PREMIUM(A+B+C+D)	₹ 41,085.
		Total GST Amount	₹ 5,277.
		TOTAL PREMIUM(Including GST)	₹ 46,362.

Drivers Clause: Persons or classes of persons entitled to drive: Any person including the insured. Provided that a person driving holds an effective driving license at the time of the accident and is not disqualified from holding or obtaining such a license. Provided also that the person holding an effective Learner's License may also drive the vehicle provided that such a person satisfies the requirements of Rule 3 of the Central Motor Vehicles Rules, 1989.

Limitations as to Use: The policy covers use only under a permit within the meaning of the motor Vehicles Act 1988 or such a carriage falling under sub-section (3) of section 66 of the Motor Vehicles Act, 1988.

- The Policy does not cover
- Use whilst drawing a trailer except the towing (other than for reward) of any one disabled mechanically propelled vehicle.
 - Use for carrying passengers in the vehicles: except employees (other than the driver) not exceeding the number permitted in the registration document, and coming under purview of Workmen's Compensation Act 1923.
 - Use for a) Organised racing, b) Pace making, c) Reliability Trials, d) Speed Testing.

Warranty for Goods Carrying Vehicles : Warranted that at no time the Gross Laden Weight of the vehicle exceeds the Gross Vehicle weight mentioned in the Schedule of the policy.

Limits of Liability: Under Section II-1 (I) of policy (Death of or bodily injury): Such amount as is necessary to meet the requirements of the Motor Vehicles Act, 1988.

Under Section II-1 (II) of policy (Third Party Property Damage): ₹ 750,000.00

Under Section III : Pk Owner Driver Capital Sum Insured: 0/- based on Insured's declaration that he/she is not holding any valid Driving License and thus not eligible for Compulsory Personal Accident cover for Owner Driver.

Number of claims covered under Depreciation Reimbursement Cover : NA
This policy does not cover pre-existing damages as per Inspection photographs and Report

Deductible Under Section - I : ₹ 1,000.00 - (Compulsory Deductible : ₹ 1,000.00, Voluntary Deductible: ₹ 0.00, Imposed Excess: ₹ 0.00) Franchisee: ₹ 0.00

No Claim Bonus : The insured is entitled for a No Claim Bonus (NCB) on the own damage section of the policy, if no claim is made or pending during the preceding year(s), as follows: The preceding year - 20%, preceding two consecutive years - 25%, preceding three consecutive years - 35%, preceding four consecutive years - 45%, preceding five consecutive years - 50% of NCB on OD Premium. NCB will only be allowed provided the policy is renewed within 90 days of the expiry date of the previous policy.

Subject to: A) IMT Endorsement No.: 07,21,23,28,39,40
B) TATA AIG Auto Secure endorsement No. (TA): 06

POS PAN No: AJJPM7270K
TATA AIG General Insurance Company Ltd Regd Office: 15th floor, Tower A, Peninsula Business Park Corporation, Kurla Complex, Lower Panel, Mumbai - 400018
IRDA Registration No: 108, CIN No: L8510MH2000PLC12825 PAN: AAHC13516Q UIN No: IRDAN108P0001V01200001
Website: www.tataaig.com 24x7 Tollfree Helpline: 1800-266-7760 E-mail: customer.service@tataaig.com

I/we hereby certify that the Policy to which this Certificate relates as well as this Certificate of Insurance are issued in accordance with provisions of Chapter X and XI of Motor Vehicles Act 1988. In witness whereof this Policy has been signed at SIKKIM, 07/06/2022
Receipt No. (s): 104341031416135 07/06/2022
Consolidated Stamp Duty has been paid to the State Exchequer.
For Tata AIG General Insurance Company LTD.


Authorized Signatory



Condition of Brakes (Please attach Photographs)

a. Are the brakes OK?

Yes No

b. Are they worn out?

Yes No

c. Whether the brakes show wear and tear due to sudden application of the brakes at the time of accident?

Yes No

d. Are there signs of brake failure which could have lead to the accident?

Yes No

3. Condition of Tyres (Please attach Photographs)

a. Do the tyres conform to the standards stipulated in MV act 1988?

Yes No

b. Are the tyres worn out or resoled?

Yes No

c. Do the tyres reveal any mark of skidding due to sudden deceleration by observing the wear and tear and the groove pattern?

Yes No

d. Can the condition of the tyres be held responsible for the extra distance covered even after braking?

Yes No

e. Were the tyres found punctured? If yes specify whether before or after the accident collision.

Yes No

There is no any puncture found at the time of examination .

4. Condition of Gears -

a. Whether the gear lever, gear pinion, gear handle and clutch were in flexible state at the time of accident?

Yes No

b. Whether these parts are in sufficiently lubricated condition?

Yes No

5. Condition of Steering -

a. Whether steering is adequately mobile?

Yes No

b. Whether the tie rod is in perfect working condition

Yes No

6. Condition of Lights -

a. Whether the Head Light / Fog Light / Indicator of the vehicle are in working condition?

Yes No

b. If not, is the same due to accident or were faulty even before the accident?

Light's are not working properly due to accident .

7. Condition of battery :-

What is the Condition of battery?

Battery is badly damage due to accident .

Condition of Rear View Mirrors -

a. Are the Rear view mirrors present inside the vehicle, and both on the left and right side of the vehicle?

Yes No

9. Rear-end conspicuity in cases of rear-end collision (CMVR, 1989, RULE NO. 104)

Nil .

10. Condition of Speed Governors:-

a. Whether speed governor have been installed?

Yes No

b. Are they to operational condion?

Yes No

c. Have they been tampered with?

Yes No

11. Condition of the Wipers-

a. Were the Wiper operational prior to accident as can be ascertained from the present condition?

Yes No

12. Whether EDR (Even Data Recorder) present or not?

Yes No

13. Whether the joining points of the Axles of the vehicle with the wheels are in proper condition or not?

Yes No

14. Overloading -

Was the vehicle overload? if yes, further remarks.

Nil .

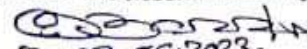
15. Any other specific observations to highlight the condition or possible cause of the accident -

From the Technical point of view the cause of accident of the above mentioned vehicle appears to be other than mechanical failure.

Date and time of Examination of the vehicle

On 08-06-2023 at about 1.30.P.M.

Signature of the Mechanical Expert


08-06-2023

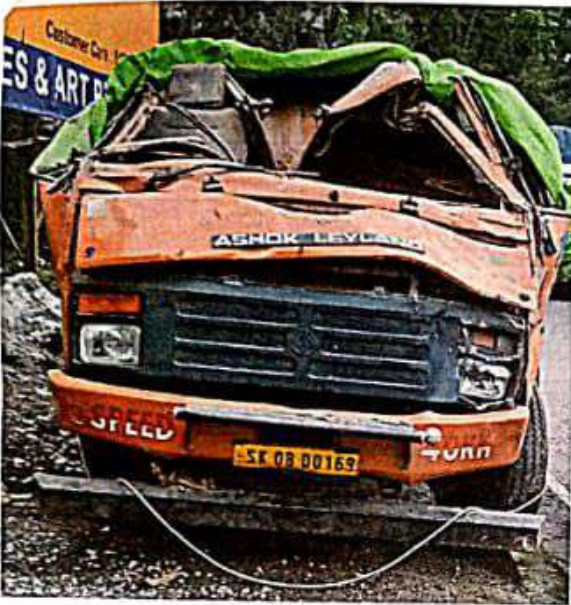
Bhola Nath Baruri
Automobile Engineer
Mechanical Expert

BARURI
ENGINEER
MECHANICAL EXPERT
VEHICLE ESTIMATOR
TECH. REG. NO. 1120

**M/S. B. N. BARURI MECHANICAL
EXPERT AND CO.**
C/O. M/S. ANIL TRADING CO.
SEVOKE ROAD, SILIGURI-734 001
DARJEELING
(WEST BENGAL GOVT.) REG. NO. L-72044

**Photograph of Vehicle bearing registration no
SK 08 D 0169 ASHOK LEYLAND TRUCK**

Date 08-06-2023.....



Bholanath Baruri
Automobile Engineer Mechanical Expert

(Signature)
08-06-2023
Bhola Nath Baruri
Automobile Engineer
Mechanical Expert

SEIZURE LIST

12.05/23



va P.S. Case. NO. 19/2023 Dt. 05-06-2023, U/S 2731
337/338/304, A. I.P.C.

Mr. Becham Prasad

1. DATE & TIME OF SEIZURE

: 05/06/2023 at 15:45 hrs.

2. PLACE OF SEIZURE

: Rangpo check post. (WB)

3. FROM WHOM SEIZED

: Mr. Becham Prasad S/O Late.

Ram Chandra Prasad of Mandi
Bazar P.S. Rangpo, South Sikkim

4. NAME OF WITNESS

(I) Sudhanshu Gupta,
S/O of Jaganlal Prasad,
R/o Rangli Bazar.

(II) Mr. Emmanuel Mager,
S/O of W. Mager,
R/o of Rangli Bazar.

5. DESCRIPTION OF SEIZED ARTICLES : (1) one damaged vehicle having bearing NO. SK 08 D. 0169 (Truck) ecomet. in respective road (2) bearing NO. SK 08. D. 0169 vehicle owned by Becham Prasad S/O Late Ram Chandra Prasad of Mandi Bazar Rangpo East District Sikkim. (3) Certificate of insurance policy No. 0161553 948 0100. Date of expiry to midnight on 06/06/2023. (4) pollution under control certificate validity upto 30/04/2023. (5) Driving Licence having bearing no. WB 78205 00 79743, in the name of Binod Biswakarma S/O DLI Biswakarma of 11th Mile Marghera forest village Rangpo West Bengal. He is DL Missing on the spot.

6. SIGNATURE OF WITNESS

(I) Sudhanshu Gupta

(II) Emmanuel Mager.

Seized by me.
SI. Jonathin Lepcha
of Rangpo C.P.
P.S. Lava Dist Kalimpong
SEIZED BY ME

Page No. - 2

- i) Particulars of accused persons not charge-sheeted (Suspected):
- ii) Name
- iii) Father's/Husband's Name
- iv) Date/Year of Birth
- v) Sex
- vi) Nationality
- vii) Religion
- viii) Whether SC/ST
- ix) Occupation
- x) Address
- xi) Provisional Criminal No Yes/No
- xii) Suspicion Approved
- xiii) Forwarded /Bailed by Police/Bailed by Court/ In Judicial Custody/Absconding /Proclaimed xiv) Offender.....
- xv) Under Acts and Sections
- xvi) Any Special remarks including reasons for not charge-sheeting.....
- (Attach Separate Sheet, if necessary)

13. Particulars of witnesses to be examined:

Sl. No.	Name	Father's/Husband's Name	Date/Year Of Birth	Occupation	Address	Type of evidence To be tendered
1.	Bechan Prasad S/O Lt. Ram chandra Prasad of Mandi Bazar, PS- Rangpo, east Sikkim (Complainant)					
2.	CVF/74 Yawan Khawas of Rangpo CP					
3.	CVF/150 Naren Tamang of Rangpo CP					
4.	CVF /51 Biren Tamang of Rangpo CP					
5.	Sudhanshu Gupta S/o Lt jetendra Gupta of Rongli Bazar East sikkim					
6.	Emmanual Manger S/O KB Manger of rongli Bazar East Sikkim					
7.	Dr. Biswas Lamichhaney of singtam hospital					
8.	Dr Jennifer C Thapa of S.T.N.M Hospital Gangtok					
9.	ASI Jonathan Lepcha of Rangpo CP (I.O.) Ph No-9679015884					
10.	SI Laxman Pokhrel o/c lava PS (R.O) ph No-9733096342					
All may kindly be summoned during the trial of the case.						

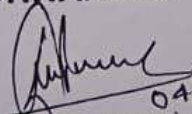
14. If FIR is false, indicate action taken or proposed to be taken U/S 182/211 IPC.....

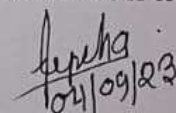
15. Result of laboratory analysis: NIL

16. The Fact of the case in brief is that Today on 05.06.2023 received a written complaint forwarded by OC Rangpo CP and submitted by one Bechan Prasad S/O Lt. Ram chandra Prasad of Mandi Bazar, PS- Rangpo, South Sikkim that to the effect on 05.06.2023 at around 00:50 hrs (midnight) his vehicle (truck) ecomet bearing registration no: SK08D0169 met an accident near Andheri, NH10 and fell off the road at about 200 ft. below. The vehicle was carrying three people including driver namely Binod Biswakarma , Lakpa Sherpa and Ravi Sunar. The driver fled from the spot after accident but the latter two were taken to Rangpo Hospital Sikkim where one person namely Lakpa Sheppa expired at the hospital and other person namely Ravi Sunar is under medical treatment. Over this started Lava PS case no.19/23 Dt.05.06.2023 U/S 279/337/338/304 A of IPC and endorsed to me for investigation of the case.

Dispatched at a.m./p.m.

FORWARDED


04/09/2023
Officer - In - Charge
Lava Police Station
District Kalimpong


Signature of the Investigation Officer
Submitting the Final report/Charge Sheet
Name: SI Jonathan Lepcha
Rank: SI of Police
Date: ..

(Attach separate sheet, if necessary)

(47)

Continued from Col no 17.

During investigation of the case I visited the P.O NH10 Near Andheri PS Lava Dist - Kalimpong, prepared the rough sketch map with index, examined available witnesses and recorded their statement U/S 161 c.r.p.c.

During investigation I seized one damaged vehicle bearing No- SK08D 0169 and its relevant documents in presence of witnesses under proper seizure list and brought and kept at Rangpo CP Compound.

I also Examined the following witnesses and recorded their statements u/s 161 C.r.p.c in separate sheet of paper enclosed herewith the C.D. I also examined the complainant further but I did not recorded his statement as he fully corroborated the F.I.R

Particulars of witnesses

1. CVF/74 Yawan Khawas of Rangpo CP
2. CVF/150 Naren Tamang of Rangpo CP
3. CVF /51 Biren Tamang of Rangpo CP

During investigation I sent Form 54 (see Rule 159 (a) and (2) Accident information Report Via Mail to airkpg2021@gmail.com and I served 41 (A) Crpc Notice to the Truck Driver namely Binod Biswakarma S/O Dil Biswakarma of 11th mile Mangchu forest village PS-Lava Dist Kalimpong and also suggest him to surrender before Ld. C.J.M Kalimpong Court

During investigation I also sent requisition to Sri Bholanath Baruri Automobile Engineer/Mechanical Expert Sevoke Road Siliguri, P.S Bhakti Nagar To Examine the vehicle bearing no SK08 D 0169 and to provide Mechanical Examination Report. And I received Mechanical Examination Report of vehicle bearing no SK08 D 0169 from Sri Bholanath Baruri Automobile Engineer/Mechanical Expert Sevoke Road Siliguri, P.S Bhakti Nagar. As per mechanical Expert opinion Cause of accident Is " From the technical point of view the cause of accident of the above mentioned vehicle appears to be other than mechanical failure. It is clear that the accident occurred due to the fault of Driver no any mechanical fault could be found.

During investigation I received Extract copy of Magistrate order sheet No-03 DT. 12/06/2023 from From Ld. C.J.M court Kalimpong that the accused namely Binod Biswakarma S/O Dil Bdr Biswakarma of 11th mile Mangchu forest village PS lava Dist- Kalimpong is voluntary surrendered before Ld. C.J.M court Kalimpong and released on Court bail and call for report from the I/O regarding the release of seized vehicle bearing no SK08D 0169 by 19/06/2023.

During investigation I sent report Regarding release of seized vehicle bearing No. SK 08-D-0169. To the Chief Judicial Magistrate Kalimpong in c/w above mention Case reference and also received Extract copy of Magistrate order sheet no.05 Dt.22/06/2023 From Ld. C.J.M court Kalimpong regarding the release of seized vehicle bearing no SK08D 0169 and its document Except Driving Licence accordingly I released vehicle bearing no SK08D 0169 .and its document Except Driving Licence under proper zimmanama on 22/06/2023 to its actual owner namely Bechan Prasad S/O Lt. Ram chandra Prasad of Mandi Bazar,PS- Rangpo, east Sikkim.

During Investigation I sent Prayer for supply of Post Mortem Report of deceased Lakpa Sherpa @ Gurung @ Suraj Rai S/o Jirey Rai of 10th mile Tarkhola PS-Lava Dist -Kalimpong to ASI Sonam Bhutia of Rangpo Police Station Dist-Pakhyong and also sent Prayer for supply of injury report and BHT Report of Ravi Sunar S/O Rajen Sunar of Aritar Rhenock to the superintendent of STNM Multi Speciality Hospital Sochakgang Sichey Gangtok East Sikkim and also Recorded statement of Ravi Sunar u/s 161 crpc by telephonic call.

(Attach separate sheet, if necessary)

(CHARGE SHEET / FINAL REPORT)
(Under Section 173 Cr.P.C.)IN THE COURT OF : **Ld. Chief Judicial Magistrate, Kalimpong**

1. Dist. **Kalimpong** P.S. **Lava** Year **2023** FIR No. **19/2023** Date **05.06.2023**
2. Final Report/Charge Sheet No. **19/2023**
3. Date **05/07/2023**
4. (i) Act ... **IPC** Sections **279/337/338/304 A**
- (ii) Act Sections
- (iii) Act Sections
- (iv) Other Act and Sections
5. Type of Final Report: Charge Sheet / Untraced/ Not Charge-Sheeted for want of evidence... **Charge Sheet**
- If F.R. Un-occurred: **False / Mistake of fact / Mistake of Law / Non-Cognizable / Civil nature**
6. If Supplementary or Original... **Original**
7. Name, Rank and Number (if any) of the I.O.(s)... **SI Jonathan Lepcha**
8. (a) Name of Complainant / Informant **Bechan Prasad**
- (b) Father Name **Lt. Ram chandra Prasad**
9. Date on which the complainant/Informant was informed of the result **On .05.06.23**
10. Details of properties /Articles/Documents recovered/Seized during investigation and relied Upon (separate sheet can be attached, if necessary):

Sl.No	Property Description	Estimate d Value (in Rs)	P.S. Property Register No.	From whom /where Recovered or Seized	Disposal
1	1. One Vehicle (Truck) bearing no .SK08D 0169 In R/O Lt. Ram Chandra Prasad of mandi Bazar Rangpo PS Rangpo East Sikkim. 2. One Registration Certificate of vehicle bearing no SK08D 0169. 3. One Insurance certificate of vehicle bearing Policy no 01618559480100 valid till 06/06/2023 4. one Pollution certificate of vechile Valid upto 30/04/2023 4. One driving licence of Binod Biswakarma S/O Dil Biswakarma Bearing Licence no WB7820180079743 of 11 th mile mangchu forest village PS-Lava Dist Kalimpong		25/23	On being produced by Bechan Prasad S/O Lt. Ram chandra Prasad of Ma ndi Bazar,PS- Rangpo, South Sikkim	Released as per Court's order

- 11 A. Number of Accused Persons Charge - Sheeted. - **01(One)**
- 11 B. Number of Accused Persons not Charge - Sheeted. - **Nil**
- 12 12 Particulars of accused persons Charge-Sheeted -
 - (i) Name **Binod Biswakarma** ...
 - (ii) Father's/Husband's Name **Dil Biswakarma**
 - (iii) Date/Year of Birth: **07/12/1995**
 - (iv) Sex **Male**
 - (v) Nationality..... **Indian**
 - (vi) Religion **Hindu**
 - (vii) Whether SC/ST **SC**
 - (viii) Occupation
 - (ix) Address... **11th mile Mangchu Forest Village , PS: Lava Dist -Kalimpong** ...
 - (x) Provisional Criminal.... **No**
 - (xi) Regular Criminal **No**
 - (xii) Date of surrender **12/06/2023**
 - (xiii) Date of release on bail ... **12/06/2023**
 - (xiv) Date on which forwarded to Court
 - (xv) Under Acts and Section: **279/337/338/304 A IPC**
 - (xvi) Name (s) and Address (s) of sureties.....
 - (xvii) Previous convictions with case reference
 - (xviii) Forwarded /Bailed by Police/Under Police Custody/ Bailed by Court/In Judicial Custody/ Absconding/Proclaimed Offender **BAIL**

(Attach separate sheet, if necessary)

(47)

During investigation I received Extract copy of Magistrate order sheet No-06 DT. 04/08/2023 from Chief Judicial Magistrate Kalimpong for IO'S report on 04/10/2023 and also received Post Mortem Report of deceased Lakpa Sherpa @ Gurung @ Suraj Rai S/o Jirey Rai of 10th mile Tarkhola PS-Lava Dist -Kalimpong from ASI Sonam Bhutia of Rangpo Police Station Sikkim Dist-Pakhyong and enclosed.

During investigation I also collect injury Report of victim Ravi Sunar S/O Rajen Sunar of Aritar Rhenock from STNM Multi Speciality Hospital Sochakgang Sichey Gangtok East Sikkim as per dr. Jennifer C Thapa's opinion nature of injury is grievous.

During investigation Prima-faice U/S 279/337/338/304A IPC has well been established against the accused Driver namely Binod Biswakarma S/O Dil Biswakarma of 11th mile mangchu forest village PS-Lava Dist Kalimpong.

After completion of investigation. I consulted superior O/C Lava and CI pedong who perused the case Docket thoroughly and instructed me to Submit charge sheet in this case U/S :279/337/338/304 A IPC against the accused Driver namely Binod Biswakarma S/O Dil Biswakarma of 11th mile Mangchu forest village PS-Lava Dist Kalimpong.

Hence, after consulting with my superior officer submitting Charge Sheet of this case Vide Lava PS Charge Sheet NO: 197/2023 Dt. 04/09/2023 U/S 279/337/338/304 A IPC against the accused Truck Driver namely Binod Biswakarma S/O Dil Biswakarma of 11th mile mangchu forest village PS-Lava Dist Kalimpong to stand trial in the open court of law. The witness will prove the case during trial they may kindly be summoned

I am submitting Charge Sheet in this case with a Provision to submit a supplementary charge sheet if any further clues evidence or foul play comes forwarded in regard of this case

The complainant has been informed about the result of investigation.

Submitted

Jonathan Lepcha
24/09/23
SI Jonathan Lepcha
Rangpo Checkpost
PS-Lava Dist: Kalimpong

Abducting / Proclaimed Offender
(Attach separate sheet, if necessary)