

1. Dist. SPC Mahigara P.S. 21(c) NDPS Act 1985 Year 2021 FIR No. 196/2021 Date 20.03.2021

2. i) Act. 21(c) NDPS Act 1985 Sections 175 (iii) Act. 175 Sections 175 (iv) Others Acts & Sections 175

3. (a) Occurrence of Offence : Day Saturday Date From 20.03.2021 Date To 20.03.2021
Time Period 16:05 Time From 16:05 Time To 17:10 hr.
(b) Information received at P.S. Date 20.03.2021 Time 17:55 hr.
(c) General Diary Reference : Entry No(s) 1175 Time 17:55 hr.

4. Type of Information : Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 1 km North Beat No. 1
(b) Address Paul Para more near Balasore under Mahigara Police station/SPC
(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District N/A

6. Complainant / Informant :
(a) Name PSI Shekhar Adhikary
(b) Father's / Husband's Name N/A
(c) Date / Year of Birth : N/A (d) Nationality Indian
(e) Passport No. X Date of Issue : X Place of Issue X
(f) Occupation Sub. Inspector of Police Siliguri Police Commissionerate
(g) Address Mahigara Police Station / Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : Accd. 1) Nejawsk (26) s/o Molek sk and 2) Sarjahan sk (32) s/o Satam sk both of Jorpu-khuria PO - Jorpu-gun, P.S. Farakka Dist - Murshidabad

8. Reasons for delay in reporting by the Complainant / Information 1)

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One transparent plastic packet contain 1000 gram brown sugar kept in Muthi (alum) one transparent packet contain 20 gram brown sugar taken as sample Exhibit - A marked as Exhibit - A. one transparent plastic packet contain 1000 gram brown sugar kept in Muthi (alum). iv) one transparent packet contain 20 gram brown sugar as sample one Muthi (alum) school bag. one Muthi (alum) school bag

10. Total value of properties stolen / involved one transparent plastic packet contain 1000 gram brown sugar kept in Muthi (alum) one transparent packet contain 20 gram brown sugar taken as sample Exhibit - A marked as Exhibit - A. one transparent plastic packet contain 1000 gram brown sugar kept in Muthi (alum). iv) one transparent packet contain 20 gram brown sugar as sample one Muthi (alum) school bag. one Muthi (alum) school bag

11. Inquest Report / U.D. Case No., if any one Muthi (alum) school bag. one Muthi (alum) school bag

12. FIR Contents (Attach separate sheets, if required) : which is treated as The original written Complain. which is re-produced overleaf

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 S.I. Basudeb Girda of Mahigara to take up investigation / refused investigation / transferred to P.S. PSI Siliguri Police Commissionerate 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 PSI Shekhar Adhikary of the Complainant / Informant Noted in original Complain.

15. Date & Time of despatch 20-3-21 Signature of the Officer in Charge, Police Station Tapan Saha Name Tapan Saha



The Officer In-Charge,
Matigara Police Station,
Siliguri Police Commissionerate

Sub: - F.I.R

Sir,

In producing herewith two (2) arrested accused persons namely (i) Nejaul SK (26), S/O- Malek Sk and (ii) Sarjahan SK (32), S/O- Salam SK both of Jorpukuria, PO- Jafargunj, PS- Farakka, Dist. Murshidabad (not verified) along with the following seized articles under proper seizure as per seizure list;

- a) One transparent plastic packet containing 1000 grams brown sugar kept in a multi colour (black and blue) school bag being carried by accused Nejaul SK and marked as Exhibit-A,
- b) One transparent pouch containing 20 grams brown sugar taken as sample from exhibit "A" for examination and marked as Exhibit "A-I".
- c) One transparent plastic packet containing 1000 grams brown sugar kept in a multi colour (blue and grey) school bag being carried by accused Sarjahan SK and marked as Exhibit- "B"
- d) One transparent pouch containing 20 grams brown sugar taken as sample from exhibit "B" for examination and marked as Exhibit "B-I".
- e) One multi colour (black and blue) school bag in which exhibit "A" was kept and marked as exhibit "C".
- f) One multi colour (blue and grey) school bag in which exhibit "B" was kept and marked as exhibit "D".

I, SI Shekhar Adhikary of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against above noted (i) Nejaul SK (26), S/O- Malek Sk and (ii) Sarjahan SK (32), S/O- Salam SK both of Jorpukuria, PO- Jafargunj, PS- Farakka, Dist. Murshidabad (not verified) to the effect that today on 20.03.2021 at about 14.35 hrs. I received a specific source input that two persons are standing at Paulpara More near Balason Bridge with huge quantity of brown Sugar for delivering the same to their designed customers at the adjacent areas. The matter was diarized in Matigara PS GDE No. 1167, Dt- 20.03.2021 and subsequently, I informed the matter to the Officer-In- Charge, Matigara Police Station in written and being directed myself along with ASI Sanjoy Basunia, ASI Nitai Mandal, Const- 1035 Santosh Rabidas, Const- 1008 Kanak Roy, Const- 986 Rajib Sarkar and CV- 155 Sukumar Das all of Matigara PS, SPC along with investigation kit left for Paul Para More, near Balason Bridge, under PS- Matigara by govt. vehicle to verify the veracity of the information vide Matigara PS GDE no. 1168, Dt- 20.03.2021 and M.C.C No- 523/21 Date- 20.03.2021.

Under this circumstance any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

On way to Paul Para More, I contacted two persons namely (i) Md. Khalilur Rahaman s/o Lt. Hasan Ali of Tari Jote, PO - New Rangia, PS- Matigara, Dist- Darjeeling and (ii) Golok Baroi (38), S/O- Lt. Bhim Baroi of Simultala, PO+PS- Matigara, Dist- Darjeeling and make them aware of the information in hand and requested them to act as witness, if any search and seizure would be made necessary upon which they agreed. Thereafter we along with the independent witnesses reached at Paul Para More, near Balason Bridge at 15:05 hrs and being pointed by my reliable source apprehended two persons. Thereafter, we disclosed our identity and the information in hand and stated them that they will be searched in person for the purpose. At this, they after disclosing their identity as noted above admitted that they have illegally possessed brown sugar in their possession for selling the same to their designed customers as per requirement. I then gave them option in writing whether they wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer. Then they agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused persons to search our Police Party as per provisions but, they did not search the police party. Accordingly, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Sri Pasang Topgay Bhutia, Assistant Commissioner of Police, Traffic, West, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused persons suspected to be possessed Brown Sugar and requested him to come at Paul Para More, near Balason Bridge to remain present and to supervise the search and seizure.

PSI Shekhar Adhikary.
20/3/2021

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Page-2

Accordingly at 15:50 hrs Sri Pasang Topgay Bhutia, Assistant Commissioner of Police, Traffic, West, Siliguri Police Commissionerate arrived at the spot as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons as well as their belongings following all formalities keeping their decency and recovered the above noted articles from the exclusive and conscious possession of accused Nejaul SK and Sarjahan SK. On demand in presence of Sri Pasang Topgay Bhutia, Assistant Commissioner of Police, Traffic, West, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC the detained persons namely Nejaul SK and Sarjahan SK failed to produce any valid document in support of possessing of the brown sugar.

Thereafter, I weighted the recovered packets with the weighing instrument and found 1000 grams of brown sugar kept in a transparent pouch which was found in a multi colour (black and blue) school bag being carried by accused Nejaul SK and marked as Exhibit-A and 1000 grams of brown sugar kept in a transparent pouch which was found in a multi colour (blue and grey) school bag being carried by accused Sarjahan SK and marked as Exhibit- "B". I also taken 20 grams of Brown Sugar from each packet as sample for examination and marked as "Exhibit A-1" and "Exhibit B-1". I also labeled and sealed all the articles in presence of Sri Pasang Topgay Bhutia, Assistant Commissioner of Police, Traffic, West, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC and independent witnesses and accused persons. Then, I seized the above noted articles at the spot under proper seizure list and labeled duly signed by the above noted witnesses and the Special Executive Magistrate, SPC and acknowledged by the accused person. The whole process of seizure was made in between 16.05 hrs to 17.10 hrs.

Being further asked the apprehend persons namely Nejaul SK and Sarjahan SK admitted in presence of Sri Pasang Topgay Bhutia, Assistant Commissioner of Police, Traffic, West, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC and other witnesses that they have procured the brown sugar clandestinely from Kaliachak, Malda for the purpose of selling the same in high rate to their designed customer for their personal gain by illegal means. They also disclosed that they have been dealing in such business of procuring and selling of brown sugar illegally for last few months.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Nejaul SK and Sarjahan SK are involved in procuring and selling of brown sugar illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused person namely Nejaul SK and Sarjahan SK after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely (i) Nejaul SK (26), S/O- Malek Sk and (ii) Sarjahan SK (32), S/O- Salam SK both of Jorpukuria, PO- Jafargunj, PS- Farakka, Dist. Murshidabad (not verified) and arrange for its investigation.

Enclosure:

- i) Original Memo of Arrests
- ii) Original seizure list along with seized articles and other papers.

Received on 20/03/2021 at 17:55 hrs
vide GDE NO 1175 Dt 20/03/2021
and started Mahigana PS case
NO 196/2021 Dt 20/03/2021 U/S
21(c) NDPS Act 1985 and endorsed
to S-I Basudeb Chandra of
Mahigana PS for its investigation

[Signature] 20/03/21
Officer In-Charge
Mahigana Police Station
Siliguri Police Commissionerate

Yours faithfully,
PSI Shekhar Adhikary
20/3/2021
PSI Shekhar Adhikary
Matigara Police Station/SPC