



1. Dist. Mahigara P.S. Mahigara Year 2021 FIR No. 891/2021 Date 18.08.2021
2. i) Act NDPS Act Sections NDPS Act ii) Act NDPS Act Sections NDPS Act
- (iii) Act NDPS Act Sections NDPS Act (iv) Others Acts & Sections NDPS Act
3. (a) Occurrence of Offence : Day Wednesday Date From 18.08.2021 Date To 18.08.2021
- Time Period 15:35 Time From 15:35 Time To 16:10 h.
- (b) Information received at P.S. Date 18.08.2021 Time 17:45 hrs
- (c) General Diary Reference : Entry No(s) 996 Time 17:45 hrs
4. Type of Information : Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. 2 km East Beat No. 2
- (b) Address West Point School Tumbarjola PS - Mahigara Dist. DSH.
- (c) In case outside limit of this Police Station, then the Name of the P.S. N/A District Dist. DSH.
6. Complainant / Informant :
- (a) Name PSI Abhishek Theengh
- (b) Father's / Husband's Name Sri Suchandru Kumar Theengh
- (c) Date / Year of Birth 1980 (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) Arrested. Md Sabirul @ Raju (35) s/o Md. Rafiqul of Bolijore PS - Itahar Dist. DSH. Uttar Dinajpur. A/P Biswen
8. Reasons for delay in reporting by the Complainant / Information N/A
9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) 35 (Thirty Five) bottles of Onereex cough syrup (each bottle containing 100 ml) having Batch No TBHU 085-100 ml
10. Total value of properties stolen / involved MTG. 07/2021
11. Inquest Report / U.D. Case No., if any MTG. 07/2021
12. FIR Contents (Attach separate sheets, if required) The Original written Complaint which is treated as FIR is re-produced over 1 leaf
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 Md Sohailha of Mahigara Police Station on point of investigation / refused investigation / transferred to P.S. PS/Spe 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 of the Complainant / Informant Noted in original complaint

Signature of the Officer-in-Charge, Police Station

Name

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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely Md. Sabirul @ Raju (35) s/o Md. Rafikul of Balijore, PS Itahar, Dist Uttar Dinajpur, A/P Biswas Colony, PS Matigara, Dist Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One multi colour nylon bag containing 35 (thirty five) bottles of "ONEREEX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0985, Mfg. Date: 07/2021. Exp. Date: 06/2023 seized from the possession of above noted Md. Sabirul @ Raju and marked as "Exhibit- A".
- b) One (01) bottle of "ONEREEX" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".

I, PSI Abhishek Theengh (32), S/O- Sri Suchandra Kumar Theengh of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Md. Sabirul @ Raju (35) s/o Md. Rafikul of Balijore, PS Itahar, Dist Uttar Dinajpur, A/P Biswas Colony, PS Matigara, Dist Darjeeling to the effect that on 18.08.2021 at about 14:20 hrs I received a specific source input that one person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at West Point School, Tumbajote under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No. 992/21 Dt. 18.08.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Nitai Mandal, Const- 1035 Santosh Rabidas, Const- 1008 Kanak Roy and Const- 986 Rajib Sarkar all of Matigara PS, SPC along with investigation kit left for West Point School, Tumbajote under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 993/21 Dt. 18.08.2021 and M.C.C No- 2110/021 Date- 18.08.2021.

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 West Point School, Tumbajote under Matigara PS, I contacted two persons namely (1) Pabitra Roy (39) S/O Satyandranath Roy of Tumbajote, P.O+P.S- Matigara, Dist- Darjeeling and (2) Md. Mustafa (24) S/O Abdul Gaffar of Beldangi, P.O+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 above noted independent witnesses arrived near West Point School, under PS- Matigara at 14.45 hrs and subsequently, being pointed by my source detained 01 (one) person standing near West Point School. He had carried one nylon bag under his possession. Thereafter, we disclosed our identity and the information in hand and stated him that he as well as the bag under his possession will be searched for the purpose. And, I gave him option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused person to search our Police Party as per provisions but, he did not search the police party. Consequently, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused person suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come near West Point School, Tumbajote under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 15.25 hrs Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at near West Point School under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained person following all formalities, keeping his decency and recovered the above noted article from the exclusive and conscious possession of the accused person namely Md. Sabirul @ Raju (35) s/o Md. Rafikul of Balijore, PS Itahar, Dist Uttar Dinajpur, A/P Biswas Colony, PS Matigara, Dist Darjeeling

Contd..

PSI Abhishek Theengh

It has been found from the bag under the possession of the above noted accused person namely Md. Sabirul containing 35 (THIRTY FIVE) bottles of "ONEREEX" cough syrup (each bottle containing 100 ml) containing 35 X 100 ml = 3500 ml i.e., equivalent to 3.5 Kg].

Further, on demand in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained person namely Md. Sabirul @ Raju failed to produce any valid documents/papers or explanation for possessing of such a huge quantity of 'Codeine Phosphate' based drugs beyond the prescribed limit.

Thereafter, I seized the recovered 35 (thirty five) bottles [containing 3500 ml i.e., equivalent to 3.5 Kg] of "ONEREEX" Cough Syrup [including 1 (one) bottles of "ONEREEX" Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Md. Sabirul @ Raju at the spot at near West Point School under Matigara PS under proper seizure list in presence of independent witnesses and Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused person.

Subsequently, I labelled and sealed the seized articles in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Md. Sabirul @ Raju. The whole process of seizure was made in between 15.35 hrs to 16.10 hrs.

Being further asked, the apprehend person namely Md Sabirul @ Raju admitted in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that he have procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same in high rate to his designed local customer for his personal gain by illegal means. He also disclosed that he have been dealing in this business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for his wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Md. Sabirul @ Raju is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Md. Sabirul @ Raju after observing all formalities and informing the ground of his 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 person namely Md. Sabirul @ Raju (35) s/o Abwali Md. Rafikul of Balijore, PS Itahar, Dist Uttar Dinajpur, A/P Biswas Colony, PS Matigara, Dist Darjeeling and arrange for its investigation.

Enclosures:

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

Yours faithfully,

PSI Abhishek Theengh
(PSI Abhishek Theengh)
Matigara Police Station
Siliguri Police Commissionerate

Received on 18/08/2021 at 17:45 hrs
MDP GDE NO 996 dt 18/08/2021 and
stated Matigara PS (CUP NO 891/2021
dt 18/08/2021 W.S. 2) (C) NDPS Act
and endorsed to S.I. Md. Sohaila
for its investigation

18/08/2021
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate