

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

2404

Dist. Spc P.S. Mahigara Year 2021 FIR No. 1201/21 Date 18.10.2021

(i) Act X Sections X (ii) Act NDPS Act Sections 21(c) NDPS Act

(iii) Act Sections (iv) Others Acts & Sections

(a) Occurrence of Offence : Day Monday Date From 18.10.2021 Date To

Time Period Time From 17.25 Time To 18.35

(b) Information received at P.S. Date 18.10.2021 Time 20.25

(c) General Diary Reference / Entry No.(s) 578 Time 20.25

Type of Information : Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. 3 km East Beat No.

(b) Address Jorobridge Tumkajole vs. Mahigara
Dist. DSK

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

Complainant / Informant :

(a) Name PSI Newton Biswas

(b) Father's / Husband's Name Nirmal Biswas

(c) Date / Year of Birth : (d) Nationality Indian

(e) Passport No. X Date of Issue : X Place of Issue X

(f) Occupation Sub-Inspector of Police Siliguri Police Commission

(g) Address Mahigara Police Station / Spc

Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : Accd. 1) Dipak Das @ Khajra (21) 8/0
Mangal Das of Dongi Bally Patraojole Post PS
Mahigara Dist 2) Pratu Saha (22) 8/01 Postman Saha
of Jharkhand More Jharkhand Dist Siliguri Dist

Reasons for delay in reporting by the Complainant / Information

Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One brown color pithu
bag styled as a lidar containing 30 (Thirty) bottles of C.e. pres
cough syrup (each bottle containing 100 ML) 11) One blue
bag styled as a lidar containing 28 (Twenty eight)
bottles of cough syrup (each bottle containing 100 ML)

Total value of properties stolen / involved 2 (Two) bottles of cough syrup

Inquest Report / U.D. Case No. if any as sample

FIR Contents (Attach separate sheets, if required) : The original written complaint
which is treated as FIR is ve- produce ourself

Action taken : Since the above report reveals commissions of offence(s) as mentioned at item No. 2, registered the case and took up to the investigation & directed SI Kalipada Barua to take up investigation

investigation / refused investigation / transferred to P.S. of Mahigara PS/SPC 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.

Signature / Thumb impression of the Complainant / Informant Noted in original (Complainant)

Date & Time of despatch to the court : 19.10.2021 at 11.00h

Signature of the Officer-in-Charge, Police Station Newton Biswas

Name : Newton Biswas

Rank : SI of Police

No. Mahigara PS/SPC

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

Sub: - F.I.R

Sir,

In producing herewith two (02) arrested accused persons namely 1. Dipak Das @ Khepa (21) S/O Mangal Das of Dangi Busty, Patiramjote, P.O + P.S-Matigara, Dist. Darjeeling, and 2. Pintu Saha (22) S/O Lt. Parimal Saha of Jhankar More, Timul Para, W/No 4 P.O- Siliguri Bazar, P.S- Siliguri, Dist.- Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One Maroon colour Pittu bag styled as 'adidas' containing 30 (thirty) bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0232, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was - seized from exclusive and conscious possession of above noted Dipak Das @ Khepa and marked as "Exhibit- A".
- b) One (01) bottle of "Cefrex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- c) One Blue colour Pittu bag styled as 'adidas' containing 28 (twenty-eight) bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0232, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was - seized from exclusive and conscious possession of above noted Pintu Saha and marked as "Exhibit- B".
- d) One (01) bottle of "Cefrex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".

I, PSI Newton Biswas (25), S/O- Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused persons namely 1. Dipak Das @ Khepa (21) S/O Mangal Das of Dangi Busty, Patiramjote, P.O + P.S-Matigara, Dist. Darjeeling, and 2. Pintu Saha (22) S/O Lt. Parimal Saha of Jhankar More, Timul Para, W/No. 4, P.O- Siliguri Bazar, P.S- Siliguri, Dist.- Darjeeling to the effect that on 18.10.2021 at about 15:35 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs were standing at Jorabridge, Tumbajote under Matigara PS to sell the same to their designed customers. The matter was diarized in Matigara PS GDE No. 866, Dt. 18.10.2021 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, ASI Tapan Das, Const- 1008 Kanak Roy, CV-387 Sukumar Barman and CV-155 Sukumar Das all of Matigara PS, SPC along with investigation kit left for Jorabridge, Tumbajote under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 867, Dt. 18.10.2021 and M.C.C No- 496/2021 Date- 18.10.2021.

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 Jorabridge, Tumbajote under Matigara PS I contacted two persons namely (1) Shyam Bahadur Chhetri (56) S/O Lt. Chandra Bahadur Chhetri and (2) Manik Barman (42) S/O Lt. Bhagirath Barman both of Matigara Bazar, 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 at Tumbajote Jorabridge under PS- Matigara at 16.25 hrs and subsequently, being pointed by my source, detained 02(two) persons standing at Tumbajote Jorabridge under Matigara P.S and each of them carrying pittu bag under their exclusive and conscious possession. Thereafter, we disclosed our identity and the information in hand stated them that they as well as the bag under their possession will be searched for the purpose. And, I also gave them option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which 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. Consequently, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Manabendu Sekhar Rakshit, 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 persons suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at Tumbajote Jorabridge under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 17.05 hrs Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Tumbajote Jorabridge under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons namely Dipak Das @ Khepa & Pintu Saha after following all formalities, keeping their decency and recovered the above noted articles from the exclusive and conscious possession of the accused persons namely 1. Dipak Das @ Khepa S/O Mangal Das of Dangi Busty, Patiramjote, P.O + P.S-Matigara, Dist. Darjeeling, and 2. Pintu Saha (22) S/O Lt. Parimal Saha of Jhankar More, Timul Para, W/No. 4, P.O- Siliguri Bazar, P.S- Siliguri, Dist.- Darjeeling.

Contd..

PSI Newton Biswas

has been found from the bag under the exclusive and conscious possession of the above noted accused namely Dipak Das @ Khepa containing 30 (thirty) bottles of "Cefrex" cough syrup (each bottle containing 100 ml) containing 30 X 100 ml = 3000 ml i.e., equivalent to 3.0 Kg].

It has been found from the bag under the exclusive and conscious possession of the above noted accused person namely Pintu Saha containing 28 (twenty-eight) bottles of "Cefrex" cough syrup (each bottle containing 100 ml) containing 28 X 100 ml = 2800 ml i.e., equivalent to 2.8 Kg].

Further, on demand in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Dipak Das @ Khepa & Pintu Saha failed to produce any valid documents/papers or explanation for possessing of such huge quantity of 'Codeine Phosphate' based drugs beyond the prescribed limit.

Thereafter, I seized the recovered 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3.0 Kg] of "Cefrex" Cough Syrup [including 1 (one) bottle of "Cefrex" Cough Syrup (containing 100 ml) which was taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused persons namely Dipak Das @ Khepa at the spot at Jorabridge, Tumbajote and seized the recovered 28 (twenty-eight) bottles [containing 2800 ml i.e., equivalent to 2.8Kg] of "Cefrex" Cough Syrup [including 1 (one) bottle of "Cefrex" Cough Syrup (containing 100 ml) which was taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused persons namely Pintu Saha at the spot at Jorabridge, Tumbajote under PS- Matigara, Dist- Darjeeling under proper seizure list in presence of independent witnesses and Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons namely Dipak Das @ Khepa & Pintu Saha.

Subsequently, I labelled and sealed the seized articles at the spot at Jorabridge, Tumbajote under PS- Matigara, Dist- Darjeeling in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Dipak Das @ Khepa & Pintu Saha.. The whole process of seizure was made in between 17.25hrs to 18.35 hrs.

Being further interrogated, the apprehend persons namely Dipak Das @ Khepa & Pintu Saha admitted in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and independent witnesses that they have procured the 'Codeine Phosphate' based drugs clandestinely 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 this business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for their wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Dipak Das @ Khepa & Pintu Saha are 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 Dipak Das @ Khepa & Pintu Saha 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 1. Dipak Das @ Khepa (21) S/O Mangal Das of Dangi Busty, Patiramjote, P.O + P.S-Matigara, Dist. Darjeeling, and 2. Pintu Saha (22) S/O Lt. Parimal Saha of Jhankar More, Timul Para, W/No. 4, P.O- Siliguri Bazar, P.S- Siliguri, Dist.- Darjeeling and arrange for its investigation.

Enclosures:

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

Yours faithfully,

(PSI Newton Biswas) 18/10/21
Matigara Police Station
Siliguri Police Commissionerate

Received on 18.10.2021 at 20.25 hrs.
Wd Code No 878 Dt 18.10.2021 and
started Matigara PS case NO 1201/4
Dt 18.10.2021 W/S 2(C) NDPS Act
and endorsed to S.I. Kalipada
Barma of Matigara PS / SPC for
its investigation


Officer in Charge
Matigara Police Station
Siliguri Police Commissionerate