

## FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



SPC

P.S.

Mahogara

Year

2022

FIR No

398/22

Date

01.04.22

Sections

x

ii) Act

NDPS Act

Sections

21(C) NDPS Act

Sections

(iv) Others Acts &amp; Sections

3. (a) Occurrence of Offence : Day

Date From

01.04.22

Date To

Time Period

Time From

13.25

Time To

15.45 hr.

(b) Information received at P.S. Date

01.04.2022

Time

16.45 hr.

(c) General Diary Reference : Entry No(s)

37

Time

16.45 hr.

4. Type of Information :

Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S.

3 Km North approx.

Beat No.

(b) Address

Himal No. 2 Gate Near Mother Dairy  
Mahogara P.S. Mahogara Dist. Darjeeling

(c) In case outside limit of this Police Station, then the

Name of the P.S.

N/A

District

6. Complainant / Informant :

(a) Name

SI Abhishek Theengh

(b) Father's / Husband's Name

Sukhendra Kumar Theengh

(c) Date / Year of Birth

(d) Nationality

Indian

(e) Passport No.

x

Date of Issue

y

Place of Issue

x

(f) Occupation

Sub-Inspector of Police Siliguri Police Commissionerate

(g) Address

Mahogara Police Station / Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary)

Aced 1) Hitesh Singh (21) S/O Pathin Singh of  
Dimajole PO. Nimal, PS. Mahogara Dist. Dsh. 11) Sushankar Roy  
(23) S/O Bablu Roy of Himal Bhagabool PO. Nimal PS. Mahogara  
Dist. Dsh.

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

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

stolen as Adidas Containing 30 (Thirty) bottles of PTHCOREX  
CD Cough Syrup (Each bottle containing 100 ml) one  
blue neon color pillu bag stolen as Adidas Containing 30 (Thirty)

10. Total value of properties stolen / involved

Bottle of PTHCOREX - CD Cough Syrup  
one (1) one bottle PTHCOREX - CD Cough Syrup

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

each

12. FIR Contents (Attach separate sheets, if required) :

The original written complaint which is  
treated as FIR is re-produce over 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

PSI Rantu Holder of Mahogara

investigation / refused investigation / transferred to P.S.

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.

14. Signature / Thumb impression

of the Complainant / Informant

Noted in original complaint

15. Date &amp; Time of despatch to the court :

02.04.2022 at 11.45h

Signature of the Officer in Charge, Police Station

Name :

Abhishek Theengh

Rank : No.

SI of Mahogara Police

Mahogara PS/SPC



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

Sub: - F.I.R

In producing herewith two (02) arrested accused persons namely (i) Hitesh Singha (21) s/o Pathin Singha of Dimajote, PO Nemai, PS Matigara, Dist Darjeeling (ii) Subhankar Roy (23) s/o Bablu Roy of Himul Bhangapool, PO Nimai, PS Matigara, Dist Darjeeling (not verified) along with the following articles under proper seizure as per seizure list;

- a) One red colour Pittu bag styled as 'Adidas' containing 30 (Thirty) bottles of 'ETHCOREX-CD' Cough Syrup (each bottle containing 100 ml) having Batch No. NLA 2313 Mfg. Date: 01/2022. Exp. Date: 12/2023 - seized from the possession of above noted Hitesh Singha and marked as 'Exhibit- A'.
- b) One (01) bottle of 'ETHCOREX-CD' Cough Syrup (containing 100 ml) randomly taken from 'Exhibit- A' for examination and marked as 'Exhibit A- I'.
- c) One blue neon colour Pittu bag styled as 'Adidas' containing 30 (Thirty) bottles of 'ETHCOREX-CD' Cough Syrup (each bottle containing 100 ml) having Batch No. NLA 2313 Mfg. Date: 01/2022. Exp. Date: 12/2023 - seized from the possession of above noted Subhankar Roy and marked as 'Exhibit- B'.
- d) One (01) bottle of 'ETHCOREX-CD' Cough Syrup (containing 100 ml) randomly taken from 'Exhibit- B' for examination and marked as 'Exhibit B- I'.

I, SI 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 persons namely Hitesh Singha (21) s/o Pathin Singha of Dimajote, PO Nemai, PS Matigara, Dist Darjeeling and Subhankar Roy (23) s/o Bablu Roy of Himul Bhangapool, PO Nimai, PS Matigara, Dist Darjeeling (not verified) to the effect that on 01.04.2022 at about 13:25 hrs I received a specific source input that two person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Himul 2 No. Gate near Mother Diary under Matigara PS to sell the same to their designed local customers. The matter was diarized in Matigara PS GDE No. 25 Dt. 01.04.2022 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- 1035 Santosh Rabidas, Const- 1008 Kanak Roy, Const- 986 Rajib Sarkar, CV-155 Sukumar Das and CV-387 Sukumar Barman all of Matigara PS, SPC along with investigation kit left for Himul 2 No. Gate near Mother Diary under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 26 Dt. 01.04.2022 and M.C.C No-855/2022 Date- 01. 04.2022.

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 Himul 2 No. Gate near Mother Diary under Matigara PS I contacted two persons namely (1) Bhagirath Barman (25) S/O Jagadish Barman of Ghoklajote, P.O + P.S- Matigara, Dist- Darjeeling and (2) Dipak Barman (28) S/O Lt. Rajen Barman of Tarijote, Balason, P.O New Rangia, PS- Matigara, Dist- Darjeeling and made 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 Himul 2 No. Gate near Mother Diary under PS- Matigara at 13.55 hrs and subsequently, being pointed by my source detained 02 (two) persons standing at Himul 2 No. Gate near Mother Diary. Each of them had carried pittu bag under their possession. Thereafter, we disclosed our identity and the information in hand and stated them that both of them as well as the bag under their possession will be searched for the purpose. And, I 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 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 Pasang Topgay Bhutia, 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 Himul 2 No. Gate near Mother Diary under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 14.35 hrs Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Himul 2 No. Gate near Mother Diary under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons following all formalities, keeping their decency and recovered the above noted articles from the exclusive and conscious possession of the accused persons namely (i) Hitesh Singha (21) s/o Pathin Singha of Dimajote, PO Nemai, PS Matigara, Dist Darjeeling (ii) Subhankar Roy (23) s/o Bablu Roy of Himul Bhangapool, PO Nimai, PS Matigara, Dist Darjeeling (not verified).

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It has been found from the bag under the possession of the above noted accused person namely Hitesh Singha containing 30 (thirty) bottles of 'ETHCOREX-CD' cough syrup (each bottle containing 100 ml) containing 30 X 100 ml = 3000 ml i.e., equivalent to 3 Kg.

And It has been found from the bag under the possession of the above noted accused person namely Subhankar Roy containing 30 (thirty) bottles of 'ETHCOREX-CD' Cough Syrup (each bottle containing 100 ml) containing 30 X 100 ml = 3000 ml i.e., equivalent to 3 Kg.

Further, on demand in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC. The detained persons namely Hitesh Singha & Subhankar Roy 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 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3 Kg] of 'ETHCOREX-CD' Cough Syrup [including 01 (one) bottle of 'ETHCOREX-CD' Cough Syrup (each 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 Hitesh Singha & 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3 Kg of 'ETHCOREX-CD' Cough Syrup [including 01 (one) bottle of 'ETHCOREX-CD' Cough Syrup (each 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 Subhankar Roy at the spot at Himul 2 No. Gate near Mother Dairy under Matigara PS under proper seizure list in presence of independent witnesses and Shri Pasang Topgay Bhutia, 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.

Subsequently, I labelled and sealed the seized articles in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Hitesh Singha & Subhankar Roy. The whole process of seizure was made in between 14.40 hrs to 15.45 hrs.

Being further asked, the apprehend persons namely Hitesh Singha & Subhankar Roy admitted in presence of Shri Pasang Topgay Bhutia, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that they have procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same in high rate to his designed local customers 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 his wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Hitesh Singha & Subhankar Roy 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 Hitesh Singha & Subhankar Roy 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) Hitesh Singha (21) s/o Pathin Singha of Dimajote, PO Nema, PS Matigara, Dist Darjeeling (ii) Subhankar Roy (23) s/o Bablu Roy of Himul Bhangapool, PO Nimai, PS Matigara, Dist Darjeeling (not verified) and arrange for its investigation.

Enclosures:

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

Yours faithfully,

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

Received on 01.04.2022 at 16:45 hrs.  
Wd. Ld. NO 37 Dt 01.04.2022 and  
started Matigara PS Case No 398/22  
Dt 01/04/22 by S 21 (C) NDPS Act and  
referred to S-1 Rantu Haldan of  
Matigara PS/SPC for its investigation.

In-charge  
Matigara Police Station  
Siliguri Police Commissionerate

SI of Police