

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



SPC P.S. Mahgara Year 2022 FIR No. 400/22 Date 02.04.22

X Sections X (i) Act NDPS Act Sections 21 (C) NDPS Act

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

3 (a) Occurrence of Offence : Day Date From 02.04.22 Date To Time Period Time From 06:15 hrs Time To 08:25 hrs

(b) Information received at P.S. Date 02.04.22 Time 10:35 hrs

(c) General Diary Reference : Entry No(s) 67 Time 10:35 hrs

4. Type of Information : Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No. (b) Address Binoy Krishna Bally, Turbajole P.S. Mahgara Dist. Duh.

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

6. Complainant / Informant : (a) Name PSI Rounu Halder (b) Father's / Husband's Name Monorajon Halder (c) Date / Year of Birth X (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 Mahgara Police Station / Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : Dipu Mandal (20) s/o Poran Mandal of Jolewari PO - Sahadargi, P.S. Bhokhnagar / Dist.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : 1 Ow red colour Pithu bag styled as Jansporl containing 28 (Twenty Eight) bottles of Wiscot Cough Syrup (each bottle containing 100ml) and one bottle of Wiscot Cough Syrup as sample.

10. Total value of properties stolen / involved

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

12. FIR Contents (Attach separate sheets, if required) : The original written Complaint which is treated as FIR is produced over 10/4/22

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. Abhishek Theerth Mahgara P.S. / S.P. Siliguri Police Commissionerate 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.

14. Signature / Thumb impression of the Complainant / Informant noted in original Complaint

15. Date & Time of despatch to the court : 02.04.2022 at 11:00h

Signature of the Officer in Charge, Police Station Matigara P.S. / Siliguri Police Commissionerate Name S.I. of Police Rank No. Mahgara P.S. / S.P.



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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely Dipu Mandal (24) s/o Paran Mandal of Jaleswari, PO Sahudangi, PS Bhaktinagar, Dist Jalpaiguri (not verified) along with the following articles under proper seizure as per seizure list;

- a) One red colour Pittu bag styled as 'Jansport' containing 28 (Twenty Eight) bottles of "WISCOF" Cough Syrup (each bottle containing 100 ml) having Batch No. WW121083 Mfg. Date: 09/2021. Exp. Date: 08/2023 - seized from the possession of above noted Dipu Mandal and marked as "Exhibit- A".
- b) One (01) bottle of "WISCOF" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".

I, SI Rantu Haldar (29), S/O- Sri Monoranjan Haldar of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Dipu Mandal (24) s/o Paran Mandal of Jaleswari, PO Sahudangi, PS Bhaktinagar, Dist Jalpaiguri (not verified) to the effect that on 02.04.2022 at about 06:15 hrs I received a specific source input that one person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Binoy Krishna Pally, Tumbajote under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No. 55 Dt. 02.04.2022 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 Binoy Krishna Pally, Tumbajote under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No.Dt. 56 02.04.2022 and M.C.C No 858 /2022 Date- 02.04.2022.

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 Binoy Krishna Pally, Tumbajote under Matigara PS I contacted two persons namely (1) Santosh Mahato (31) S/O Lt. Tufani Mahato of Ganga Nagar, Ward No. 5, PS Siliguri, Dist Darjeeling A/P Binay Krishna Pally, PS Matigara, Dist Darjeeling and (2) Mahesh Mahato (40) S/O Lt. Sukhari Mahato of Ganga Nagar, Ward No. 5, PS Siliguri, Dist Darjeeling A/P Binay Krishna Pally, 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 Binoy Krishna Pally, Tumbajote under Matigara PS at 06.55 hrs and subsequently, being pointed by my source detained 01 (one) person standing at Binoy Krishna Pally, Tumbajote under Matigara PS. He had carried one pittu 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 persons 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 Moksedur Rahaman, 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 Binoy Krishna Pally, Tumbajote under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 07.35 hrs Shri Moksedur Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Binoy Krishna Pally, Tumbajote 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 articles from the exclusive and conscious possession of the accused person namely Dipu Mandal (24) s/o Paran Mandal of Jaleswari, PO Sahudangi, PS Bhaktinagar, Dist Jalpaiguri (not verified).

Contd...

PSI Rantu Haldar
of Matigara PS
dt 02/04/2022

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It has been found from the bag under the possession of the above noted accused person namely Dipu Mondal containing 28 (twenty eight) bottles of "WISCOF" 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 Moksedur Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC. The detained person namely Dipu Mandal 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 28 (twenty eight) bottles [containing 2800 ml i.e., equivalent to 2.8 Kg] of "WISCOF" Cough Syrup [including 01 (one) bottle of "WISCOF" Cough Syrup (each containing 100 ml) which was taken randomly from the mother packet for examination from the exclusive and conscious possession of above noted accused person namely Dipu Mandal at the spot at Binoy Krishna Pally, Tumbajote under Matigara PS under proper seizure list in presence of independent witnesses and Shri Moksedur Rahaman, 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 Moksedur Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Dipu Mandal. The whole process of seizure was made in between 07.40 hrs to 08.25 hrs.

Being further asked, the apprehend persons namely Dipu Mandal admitted in presence of Shri Moksedur Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that he has procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same in high rate to his designed local customers for his personal gain by illegal means. He also disclosed that he has 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 Dipu Mandal is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused person namely Dipu Mandal 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 Dipu Mandal (24) s/o Paran Mandal of Jaleswari, PO Sahudangi, PS Bhaktinagar, Dist Jalpaiguri (not verified) and arrange for its investigation.

Enclosures:

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

Received on 02.04.2022 at 10.35 hrs.
vide G.O. Memo 67 dt 02/04/2022
and started Matigara PS case
No 400/2021 dt 02/04/22 u/s 21(a)
NDPS Act and endorsed to S.I.
Abhishek Bhattacharya of Matigara
PS for its investigation.

2
02/04/22
Officer in-charge
Matigara Police Station

Yours faithfully,
PSI Rantu Haldar
(SI Rantu Haldar)
Matigara Police Station
Siliguri Police Commissionerate
dt. 02/04/2022