

4101

1. Dist. Jalpaiguri P.S. NTP Year 2022 FIR No. 1008/22 Date 8.9.22
2. i) Act. NTPS. Act. Sections 21(C)/22(C)/23(C)/29 NTPS Sections
- (iii) Act. Sections (iv) Others Acts & Sections.
3. (a) Occurrence of Offence : Day Date From Date To 8.9.22
Time Period Time From 13:55 hr. Time To 17:35 hr.
- (b) Information received at P.S. Date 8.9.22 Time 18:35 hr.
- (c) General Diary Reference : Entry No(s) 381 Time 18:35 hr.
4. Type of Information : Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. 3 KM. West from B. Beat No.
(b) Address Uta Shara near Bonajhar, P.S. NTPA Dist. Jalpaiguri
- (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 Newton Biswas
(b) Father's / Husband's Name
(c) Date / Year of Birth : (d) Nationality Indian
(e) Passport No. Date of Issue : Place of Issue
(f) Occupation
(g) Address NTPA PS SPC
7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : NTPA
1) Sonu Sah s/o. Kal Babu Sah of Gurung Busty, Dunga Nagar Colony, 2) M. Jaddan s/o. Md. Ful of South Bagha Jatin Colony, 3) Sohel Hossain s/o. Alamgir Hossain of all of P.S. Headman Nagar, Dist. Dooars.
8. Reasons for delay in reporting by the Complainant / Informant
9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
10. Total value of properties stolen / involved
11. Inquest Report / U.D. Case No., if any NIL
12. FIR Contents (Attach separate sheets, if required) : The original written complaint which is treated as FIR is reproduced 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 SI Pranab Singh of NTPA B. 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
15. Date & Time of despatch to the court :
- Signature of the Officer-in-Charge, Police Station
Name PARTHA SARATHI DAS
Rank : No. SI OF POLICE
of NTPA PS. SPC

On the original
written complaint

Officer-In-Charge,
New Jalpaiguri Police Station,
Siliguri Police Commissionerate



Sub: - F.I.R

Sir,

In producing herewith the arrested three (03) accused persons namely 1. Sonu Sah (22) S/O Lalbabu Sah of Gurung Busty, Durga Nagar Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) , 2. Md. Jabbar (36) S/O Md. Ful of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) and 3. Saddam Hussain (24) S/O Alamgir Hussain of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) along with the following seized articles under proper seizure list :-

- (I) One transparent Plastic packet containing total 98 (Ninety eight) grams of said to be Brown Sugar and marked as 'Exhibit- A'
- (II) One transparent Plastic packet containing total 100 (one hundred) grams of said to be Brown Sugar and marked as 'Exhibit-B'
- (III) One transparent Plastic packet containing total 100 (one hundred) grams of said to be Brown Sugar and marked as 'Exhibit- C'
- (IV) One transparent Plastic packet containing total 100 (one hundred) grams of said to be Brown Sugar and marked as 'Exhibit- D'
- (V) One multi-colour nylon bag containing sl. No. I to Sl. No. IV which were kept inside a black colour plastic bag.
- (VI) One black colour Honda scooty without number plate.
[Sl. No. I to Sl. No. V found inside Sl. No. VI]

1, PSI Newton Biswas of New Jalpaiguri Police station, Siliguri Police Commissionerate do here by lodge this written complaint against above noted three (03) arrested accused persons to the effect that today 08.09.2022 at about 13.55 hrs I received a specific source input that three (03) persons were coming at Porajhar in front of Utsodhaara under NJP P.S with a scooty without number plate with a huge quantity of Brown Sugar for delivering the same to their designed customers. The matter was diarized vide NJP PS PS GDE No. 365 Dt. 08.09.2022 and I informed the matter to SI Partha Sarathi Das, Officer-In-Charge, New Jalpaiguri Police Station in writing a letter to him and expressed the entire information. As per his kind direction myself along with other officers and force named ASI Sajal Das, VP/08 Laxman Roy, HG/794 Ranjit Roy all of NJP PS, Siliguri Police Commissionerate along with Van officer SI Shib Shankar Das and forces C/1035 Santosh Rabi Das and C/861 Swapan Dhar, being headed by me left for Porajhar, in front of Utsodhaara by govt. vehicle with investigation kit to verify the veracity of the information in hand vide NJP PS GDE No 367 dated 08.09.2022 and M.C.C. No. 1334/2022 dated 08.09.2022. In the mean time I also informed the Videographer namely Tapan Mandal s/o Testo Mandal of Bhola More, PS- NJP, Dist.- Jalpaiguri to be present at Porajhar More to prepare the Video of whole process of search and seizure if any. I also informed Van officer SI Shub Shankar Das Under this circumstances any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidences of facility for the escape of the offender. At about 14.35 hrs we arrived at Porajhar in front of Utsodhaara and on the way to the spot, I called two independent witnesses namely (i) Sahil Khan (24) S/O Lt. Md. Jabat of Gurung Busty near Model High School, P.S- Pradhannagar, Dist.- Darjeeling (ii) Dilip Sha (35) S/O Ram Lagan Sha of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling and disclosed our identity and informed them about the information in hand and requested them to accompany us and remain present in the whole process during search and seizure if necessary with a written letter and necessary permission of their presence and act as witnesses under relevant provision of law. After arrival at the spot and as identified by the source we found that three persons with a scooty standing at Porajhar in front of Utsodhaara under PS- NJP, Dist.- Jalpaiguri which was matched with our information. Accordingly, we intercepted the above three (03) who disclosed their identity as noted above.

After disclosing our identity, we detained the above noted accused persons with a strong reason to believe that they illegally possessing brown Sugar in their conscious and joint possession which they are carrying for selling the same to their designed customers for their wrongful gain. On being asked they confessed that they possessed brown Sugar inside the scooty under their conscious and joint possession. I then gave them option in writing whether they wanted to be searched in presence of Executive Magistrate or by any Police Gazetted Officer. Then they agreed to be searched by any one of them. Further, I served them a notice in accordance with provisions of law in this regards. I also offered the independent witnesses and the apprehended persons to search our Police Party as per provision of law but they denied to search police party. Accordingly, I informed the matter to the Officer-In-Charge, NJP PS and as per his kind order I informed the fact to Shri Ashish P. Subba, WBPS 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 of Brown Sugar and requested him to come to the spot and to supervise the search and seizure being a gazetted officer. Accordingly at 16.15 hrs Shri Ashish P. Subba, WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate arrived at the spot and accordingly, I disclosed his identity to the detained persons as Special Executive Magistrate of Siliguri Police Commissionerate.

Contd...

PSI Newton Biswas.

When In presence of Shri Ashish P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Commissionerate detailed as Special Executive Magistrate and two independent public witnesses searched and recovered after following all formalities keeping their decency and recovered total 04 (four) plastic packets containing said to be Brown sugar kept inside a black colour plastic bag and the same inside a multi colour nylon bag and found inside the scooty.

Thereafter, I weighed 03 (three) recovered packets containing said to be Brown Sugar in presence of Shri P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate detailed as Special Executive Magistrate, of SPC for the day and the independent witnesses with the weighing and found total 98 [Ninety- eight grams] of suspect to be Brown Sugar Marked as Exhibit-"A", total 100 (one hundred grams) of said to be Brown Sugar and Marked as 'Exhibit B', total 100 (one hundred grams) of said to be Brown Sugar and Marked as 'Exhibit C' and total 100 (one hundred grams) of said to be Brown Sugar and Marked as 'Exhibit D'. Further, on demand in presence of Shri Ashish P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, of SPC for the day as well as independent witnesses the above noted detained persons failed to produce any valid documents in support of possessing of Brown Sugar. Thus when their involvement in carrying and possession of sugar were established, then I seized the above noted articles from the conscious and joint possession of above noted accused persons at the spot at Porajhar in front of Utsodhaara under PS NJP, Dist.- Jalpaiguri. I made proper seizure list in presence of Shri Ashish P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, of SPC for the day as well as independent witnesses as noted above and acknowledged by the accused persons. Subsequently, I labeled the articles in presence of Shri Ashish P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate and independent witnesses and accused persons as noted above. The whole process of seizure and labeled was made in between 16.25 hrs. to 17.35 hrs on 08.09.2022. On further asked they confessed in presence of Shri Ashish P. Subba , WBPS, Assistant Commissioner of Police, Traffic West, Siliguri Police Commissionerate acting as Special Executive Magistrate and other witnesses that they procured the brown sugar exclusively from Malda for the purpose of supply the same to their designed customers at Siliguri area as per requirement for their personal gain by illegal means. On interrogation they also disclosed that they have been engaged in such business of selling the 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 1. Sonu Sah (22) S/O Lalbabu Sah of Gurung Busty, Durga Nagar Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) , 2. Md. Jabbar (36) S/O Md. Ful of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) and 3. Saddam Hussain (24) S/O Alamgir Hussain of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) are involved in procuring and selling of Brown Sugar illegally and violating the norms of NDPS Act was established, Then, I arrested the above noted accused persons after following all guidelines of Apex court of arrest as well as after disclosing the cause of arrest and issued necessary order of Arrest.

Under the above noted facts and circumstances, I pray to you that a specific case under provisions of law may kindly be started against the above noted arrested accused persons namely 1. Sonu Sah (22) S/O Lalbabu Sah of Gurung Busty, Durga Nagar Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) , 2. Md. Jabbar (36) S/O Md. Ful of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) and 3. Saddam Hussain (24) S/O Alamgir Hussain of South Baghajatin Colony, P.S- Pradhannagar, Dist.- Darjeeling (Not verified) and arrange for its investigation.

Closure:

Original Memo of Arrests

Original seizure list.

All the Seized articles as per seizure list.

*Received on 8.9.22 at 18.35 hrs in the
F no. 381 dt. 8.9.22 and started ADP
case no. 1008/22 dt. 8.9.22 up to 21/09/22
(C)/23(C)/29 ADP Act and ended
SI Prasad Singh of ADP B. for
investigation*

Yours faithfully,

PSI Newton Biswas
PSI Newton Biswas 08/09/2022
NJP PS, SPC

08/09/2022
Officer-In-Charge
New Jalpaiguri Police Station
Siliguri Metropolitan Police