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(Under Section 154 Cr. P.C.)

1. Dist. SPC P.S. Bhaktinagar Year 2023 FIR No. 158/23 Date 03/03/20232. i) Act Sections ii) Act Sections(iii) Act Sections (iv) Others Acts & Sections 21(C)/22(C)/293. (a) Occurrence of Offence : Day Friday Date From 03/03/2023 Date To N.D.P.S. ActTime Period At about 11.25 hr Time From 14.35 hr Time To -(b) Information received at P.S. Date 03/03/2023 Time 16.05 hr(c) General Diary Reference : Entry No(s) 154 Time 16.05 hr4. Type of Information Written / Oral5. Place of Occurrence : (a) Direction and Distance from P.S. 1 km east w Beat No. -(b) Address Kholachand Fapri, Under Bhaktinagar P.S. Dist: Jalpaiguri

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

Name of the P.S. - District -

6. Complainant / Informant :

(a) Name PSI Koushik Raha(b) Father's / Husband's Name S/O Jitendra Raha(c) Date / Year of Birth - (d) Nationality Indian(e) Passport No. - Date of Issue - Place of Issue -(f) Occupation Police(g) Address Bhaktinagar P.S. SPC

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

(Attach separate sheet, if necessary) :

① Alim Momin (26) S/O Samiul Momin of Jalpaiguri, Nuonagar P.S. Kholachand Dist: malda ② Suresh Ray (23) S/O H. Sataban Ray of Salugara, Singhjhora P.S. Bhaktinagar Dist: Jalpaiguri ③ Bishal Mukhia of Salugara P.S. Bhaktinagar

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

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

① 01 (one) Transparent zipper plastic containing 295 grams said to be Brown Sugar ② One yellow colour handbag.

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 enclosed herewith reproduced 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 SI D.N. BAKSHIinvestigation / refused investigation / transferred to P.S. - to take up

jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost.

Noted in original Complaint

4. Signature / Thumb impression

of the Complainant / Informant

DR No. 1238 Date 3/3/23
Bhaktinagar Police Station
SPC

Signature of the Officer-in-Charge, Police Station

Name : SRI AMARESH SINGHRank : No. 1/C BHAKTINAGAR PS

SPC

5. Date & Time of despatch to the court :

THE INSPECTOR IN-CHARGE
BHAKTINAGAR POLICE STATION,
SILIGURI POLICE COMMISSIONERATE

Dated 03.03.2023

Sub: - F.I.R

Sir,

In producing herewith two arrested accused persons namely (1) Alim Momin-26yrs s/o Samiul Momin of Jalalpur, Nurnagar PS Kaliachak, Dist Malda (not verified) and (2) Suresh Roy-23yrs s/o Lt Sraban Roy of Salugara, Singhjhora, PS Bhaktinagar Dist Jalpaiguri along with the following seized articles under seizure as per seizure list:

[i] 01 (One) transparent zipper plastic containing 295 grams said to be Brown Sugar and marked as Exhibit-"A"

[ii] One Yellow colour handbag in which kept in Exhibit-A

I, PSI Koushik Raha s/o Jitendra Raha of Bhaktinagar PS under Siliguri Police Commissionerate do hereby lodged this written complaint against above mentioned accused persons to the effect that on 03.03.23 at about 11.25 hrs, I received a reliable source input that two male persons were coming from NJP side towards Kholachand Fapri side with huge quantity of brown Sugar for delivering the same to their designed customers at Siliguri area for their wrongful gain on behalf of one Bishal Mukhia of Salugara. The matter was diarized in Bhaktinagar PS vide Bhaktinagar PS GDE No. 139 dated 03.03.23 and subsequently, I informed the matter to the I/C Bhaktinagar PS, SPC and being directed, myself along with SI Sajal Roy, SI Srimanta Chatterjee, ASI Dipak Karmakar, Const/986 Rajib Sarkar, Const/1431 Dilip Barman, CVF/619 Dharmendra Roy, CVF/935 Biplob Roy with investigation kit left for Kholachand Fapri, Near Salugara Forest Range office under PS- Bhaktinagar by govt. vehicle to verify the veracity of the information vide Bhaktinagar PS GDE no. 140 dated 03.03.23 and M.C.C No- 447/2023 Dated 03.03.23.

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.

Thereafter we reached at Kholachand Fapri and meanwhile called two independent witnesses namely; (1) Palash Roy-37yrs s/o Pradip Roy of Uttar Ektiasal Shanti colony, PO Sevoke road, PS Bhaktinagar Dist Jalpaiguri (8653708872) and (2) Atul Paul-35yrs s/o Lt Binay Krishna Paul of Chayanpara, PO Ghugumali, PS-Bhaktinagar Dist- Jalpaiguri (9832405099) and disclosed our identity and informed them about the information in hand and requested them in writing to accompany us in the whole process during search and seizure, if any and they gave in writing about their approval to accompany Police during raid, search and seizure. Being identified by source we detained two persons and disclosed our identity and the information in hand and stated them that they will be searched in persons for the purpose. At this, they disclosing their name and address as noted above and admitted that they have illegally possessed brown sugar in their possession for selling the same to their designed customers as per requirement for their wrongful gain on behalf of one Bishal Mukhia of Salugara.

I then gave them written notice to be searched in presence of Spl. Executive Magistrate. Then he agreed to be searched in presence of Spl Executive magistrate. Accordingly, I informed the matter to Mr.P.T Bhutia, Assistant Commissioner of Police (Traffic), SPC, as a Spl Executive Magistrate, regarding the interception of the accused persons suspected to be possessed Brown Sugar and requested him to come at Kholachand Fapri near Salugara Forest Range office to remain present and to supervise the search and seizure.

PSI Koushik Raha
of BKN Pt, SPC
Dt- 03.03.23

Accordingly at 13.20 hrs Mr.P.T Bhutia, Assistant Commissioner of Police (Traffic), SPC, arrived at the spot as a Spl Executive Magistrate and subsequently, under his supervision in presence of witnesses the process of search of the detained persons for conducted following all formalities keeping his decency and recovered the above noted articles from the Joint possession of above noted accused persons. Subsequently, being demanded in presence of Mr.P.T Bhutia, Assistant Commissioner of Police (Traffic), SPC as a Spl Executive Magistrate the detained persons failed to produce any valid document in support of possessing of the brown sugar.

Thereafter, I weighted the recovered packet with the weighing instrument and found total 295 grams said to be Brown Sugar which was kept inside one yellow colour handbag of above noted accused persons and marked as "Exhibit- A". Then, I seized the above noted articles at the spot under proper seizure list duly signed by the independent witnesses. I also labeled and sealed all the articles under the supervision of Mr.P.T Bhutia, Assistant Commissioner of Police (Traffic), SPC as a Spl Executive Magistrate and witnesses and accused persons. The whole process of seizure was made in between 13.45hrs to 14.35hrs.

Being further asked, the apprehend persons namely admitted in presence of Mr.P.T Bhutia, Assistant Commissioner of Police (Traffic), SPC, SPC and other witnesses that he procured the brown sugar clandestinely from Kaiachak, Malda for the purpose of selling the same in high rate to their designed customer for their personal gain by illegal means one behalf of one Bishal Mukhia of salugara. They also disclosed that they have been dealing in such business of procuring and selling of brown sugar illegally for last few months under the leadership of Bishal Mukhia of Salugara.

Then, I arrested the above noted accused persons namely (1) Alim Momin-26yrs s/o Samiul Momin of Jalalpur, Nurnagar PS Kaliachak, Dist Malda (not verified) and (2) Suresh Roy-23yrs s/o Lt Sraban Roy of Salugara, Singhjhora, PS Bhaktinagar Dist Jalpaiguri (not verified) after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons (1) Alim Momin-26yrs s/o Samiul Momin of Jalalpur, Nurnagar PS Kaliachak, Dist Malda (not verified) and (2) Suresh Roy-23yrs s/o Lt Sraban Roy of Salugara, Singhjhora, PS Bhaktinagar Dist Jalpaiguri (not verified) are involved in procuring and selling of brown sugar illegally contravening the norms of NDPS Act. The whole process during search, seizure and arrest was video graphed by the videographer Sri Nitai Chowdhury of Shivarampally, Haiderpara PS Bhaktinagar Dist Jalpaiguri.

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) Alim Momin-26yrs s/o Samiul Momin of Jalalpur, Nurnagar PS Kaliachak, Dist Malda (not verified) and (2) Suresh Roy-23yrs s/o Lt Sraban Roy of Salugara, Singhjhora, PS Bhaktinagar Dist Jalpaiguri (not verified) and (3) Bishal Mukhia of Salugara PS Bhaktinagar Dist Jalpaiguri also arrange for its investigation.

Enclosure: [i] Original Memo of Arrest (2),
[ii] Original seizure list along with seized articles.

*Received on 03/03/23 at 16.05 hrs vide
G.O. NO 154 dt 03/03/23 and started
Bkn PS case NO 158/22 dt 03/03/23 U/I
210/22(9)/29 NDPS Act and endorsed the
same to SI D.N. Baskin for its
investigation*

[Signature]
INSPECTOR-IN-CHARGE
Bhaktinagar P. S.
Siliguri Police Commission.

Yours faithfully,

[Signature]
03.03.23
PSI Koushik RAHA
Bhaktinagar PS/SPC