

FIRST INFORMATION REPORT (Under Section 154 Cr. P.C.)

4569



P.S. Bagdogra Year 2021 FIR No. 119/2021 Date 22/03/2021
NDPS Act Sections 21(c) Act Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Monday Date From Date To 22/03/2021
Time Period Time From 21.15 hrs Time To 21.55 hrs
(b) Information received at P.S. Date 22/03/2021 Time 22.25 hrs
(c) General Diary Reference : Entry No(s) 1204 Time 22.25 hrs

4. Type of Information : Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. Beat No.
(b) Address Bihar More, Bus stand, P.S. Bagdogra, Dist. Dooars
(c) In case outside limit of this Police Station, then the Name of the P.S. District

6. Complainant / Informant :
(a) Name Pst Lakshang Bhutta
(b) Father's / Husband's Name Bagdogra P.S. SPC
(c) Date / Year of Birth (d) Nationality Indian
(e) Passport No. Date of Issue Place of Issue
(f) Occupation Govt service
(g) Address P.S. Bagdogra, Dist. Dooars

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :
D MD Sakatul Hossain also MD Wahed Ali of Balaram (Haruchak), Alipur, P.S. - Kaluchak Malda

8. Reasons for delay in reporting by the Complainant / Information
Does not arise

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
i) one transparent plastic pouch packet containing 400 grams suspected to be brown sugar
ii) one small electronic weighing machine fitted with two Eveready batteries in working condition
iii) one orange colour carry bag having "SANTHAM" printed on it

10. Total value of properties stolen / involved
11. Inquest Report / U.D. Case No., if any Does not arise

12. FIR Contents (Attach separate sheets, if required) :
The original written complain of the complainant which is treated as FIR enclosed herewith

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 Rajoyat Hossain to this investigation / refused investigation / transferred to P.S. on point 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
Name: SI Rajoyat Hossain
Rank : No. SI of Police
dc BDR PS, SPC
Signature of the Officer-in-Charge, Police Station Bagdogra P.S.
Name: SI Rajoyat Hossain
Rank : No. SI of Police
dc BDR PS, SPC
Date & Time of despatch to the court : 22/03/2021 at 10:00 hrs



Officer In-Charge,
Bagdogra Police Station,
Siliguri Police Commissionerate

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused persons namely; (1) MD Sekabul Hossain (51) S/O MD Wahed Ali of Baluram (Haruchak), Alipur, PS Kaliachak, Malda with the following seized articles under proper seizure as per seizure list;

- a). One transparent plastic pouch packet containing 408 grams suspected to be brown sugar being carried by accused MD Sekabul Hossain, marked as Exhibit-A,
- b). One transparent plastic pouch containing 20 grams brown sugar taken as sample from exhibit "A" for examination and marked as Exhibit "A-I".
- c) One small electronic weighing machine fitted with two Eveready batteries in working condition having one small stickers affixed and printed "QC PASS, 200g/0.01" marked as Exhibit - "B"
- d) One Orange colour carry bag having "SANGAM" printed on it (both in English & Bangali) in which exhibit "A" and Exhibit - "B" were kept inside, marked as Exhibit- "C".

I, PSI Laksang Bhutia of Bagdogra P.S. S.P.C do hereby lodged this written complaint against above MD Sekabul Hossain S/O MD Wahed Ali of Baluram (Haruchak), Alipur, PS Kaliachak Malda (not verified) to the effect that today on 22.03.2021 at about 19.10 hrs. I received a specific source information that one person is coming towards Bihar More from Bidhan Nagar by Bus carrying huge quantity of brown Sugar for delivering the same to their designed customers at in and around Naxalbari area and he would reach Bihar More shortly. Further, source stated that he was at Bihar more and he would identify and show the accused, if he gets down at Bihar More. I requested him to be there at Bihar More and assist Police, to which he agreed. I accordingly shared the information with the Officer In Charge, Bagdogra PS, SPC in writing. I diarized fact vide Bagdogra PS GDE No. 1195 dated 22.03.2021 and subsequently, as per direction of O.C. PS I along with ASI Dharendra Nath Mondal, ASI Abu Taleb, Const- 410 Mantosh Singh, VP/01 Ansalam Kujur, VP/02 Pradip Roy, CV/389 Janak Singha all of Bagdogra PS, SPC along with investigation kit, gala seal, candle, match box, weighing machine (Certified by Weight and metallurgy Department), etc. left for Bihar More, under Bagdogra PS by govt. Vehicle (hired) to verify the veracity of the information vide Bagdogra PS GDE no. 1196 Dated 22.03.2021 at 19.15 hrs.

Under this circumstance any search warrant or authorization cannot be obtained for not affording opportunity for the concealment of evidence or facility for the escape

22/03/2021
Officer In-Charge
Bagdogra P.S.
Metropolitan Police

I along with accompanying officer and force parked the vehicle at considerable distance, near Bengdubi Crossing road and proceeded towards Bihar More on foot. At around 19.25 hrs I along with officers and force reached near Bihar More and contacted source, who stated that he would assist Police to arrest him. Meanwhile, I approached two persons namely (i) Bijay Kumar Sen (32) S/O Murari Mohan Sen of Gosaipur, College Para, Rupsingh Jote (South), PS Bagdogra, Dist. Darjeeling and (2) Sri. Argho Som (46) S/O Kalyan Kumar Som of Adarsha Nagar, Road No. 3, Upper Bagdogra, PS Bagdogra, Dist. Darjeeling and shared the information in hand with them and requested them to act as witness, if any search and seizure in writing to them. They both gave approval in writing and remained with us. I along with officers, force, witnesses and source started keeping watch on the Buses coming from Bidhan Nagar side at Bihar More Bus stop.

At around 19.55 hrs one Bus Stopped at Bihar More and some persons got down from the bus and at last one man got down who was possessing one small bag on his hand. Then and there the source identified him as said person. Wasting no time, I along with officers and force apprehended him and thereafter, we disclosed our identity as Police officers from Bagdogra PS and asked him what he was carrying on his small bag which he was holding by right hand and asked him about his particulars. Then, he disclosed his name and address as noted above and also stated that he had been carrying / possessing Brown Sugar and peddling the same towards Naxalbari for reaching the same to designed customer. I then gave him option notice in writing whether he wanted to be searched in presence of an Executive Magistrate or Gazetted Officer. Then he gave in writing that he would prefer to be searched in presence of Executive Magistrate. Accordingly, I informed the matter to O/C Bagdogra PS and as per his kind order, at 20.15 hrs, I sent one letter to Shri. Abunur Hossain, Asstt. Commissioner of Police (HQ), Siliguri Police Commissionerate, who had been detailed to act as Special Executive Magistrate of SPC for the day, informing him regarding the interception of the accused person suspected to be possessing Brown Sugar and with a request to come him at Bihar More, Bus Stop and remain present to supervise the search and seizure, through C/410 Mantosh Singh, in the same vehicle on which we had come for raid. Accordingly, at 20:50 hrs Shri. Abunur Hossain, Asstt. Commissioner of Police (HQ), Siliguri Police Commissionerate, who had been detailed to act as Special Executive Magistrate of SPC for the day arrived at the spot as Special Executive Magistrate, SPC and in presence of two independent witnesses and under supervision of Special Executive Magistrate, I offered the independent witnesses and the accused persons to search our Police Party as per provisions but, they did not search the police party. In presence independent and disinterested witnesses under the supervision of Special Executive Magistrate, I searched the detained person following all formalities keeping his decency and while searching the carry bag which he was possessing recovered one Plastic Pouch containing brownish powder and one small weighing machine as noted above from the exclusive possession of above noted accused. On demand in presence of Shri. Abunur. Hossain, Asstt. Commissioner of Police (HQ), acting as Special Executive Magistrate, SPC the detained person failed to produce any valid document in support of possessing of the suspected brown sugar.

Thereafter, I weighed the recovered plastic pouch containing suspected to be brown sugar with the weighing instrument, which I had taken with me and found weight 428 grms. from which 20 grms was taken as sample. I accordingly, marked

suspected Brown Sugar weighing 408 grms as Exhibit - "A" and 20 grms taken as Sample as Exhibit - "A-1", small weighing machine as Exhibit - "C" and carrying bag in which Exhibit - "A" and "B" was kept inside as Exhibit - "C". I labeled and sealed all the articles in presence of Shri. Abunur Hossain, Asstt. Commissioner of Police (HQ), acting as Special Executive Magistrate, SPC and independent witnesses and accused person. Then, I seized the above noted articles at the Bihar More, Bus Stop under proper seizure list and labeled duly signed by the above noted witnesses and the Special Executive Magistrate, SPC and acknowledged by the accused person. The whole process of seizure was made in between 21.25 hrs to 21.55 hrs and arrested the above noted accused person informing his ground of arrest U/S 41 CrPC.

On further interrogation, the arrested accused person MD Sekabul Hossain (51) S/O MD Wahed Ali of Baluram (Haruchak), Alipur, PS Kaliachak, Malda admitted that he had been procuring the brown sugar clandestinely from Kaliachak, Malda for the purpose of selling the same in high rate to their designed customer at Naxal Bari area and also Salbari area for his personal wrongful gain by illegal means. He also admitted that he had been arrested once by Matigara PS and was in Jail for long time.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely MD Sekabul Hossain (51) S/O MD Wahed Ali of Baluram (Haruchak), Alipur, PS Kaliachak, Malda has been involved in procuring and selling of brown sugar illegally contravening the norms of NDPS Act.

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 MD Sekabul Hossain (51) S/O MD Wahed Ali of Baluram (Haruchak), Alipur, PS Kaliachak, Malda and arrange for its investigation.

Enclosure:


- i) Original Memo of Arrests
- ii) Original seizure list.
- iii) All the Seized articles as per seizure list.

Yours faithfully,

Received on 22/03/2021 at 22.25 hrs
vide BDR P.S. GDG NO- 1204, Dt- 22/03/21
and BDR P.S. CASE NO- 119/21, Dt- 22/03/21
U/s- 21(c) NDPS Act has been registered
and endorsed to SI Rafiqat Hossain for its
Investigation.

PSI Laksana Bhutia

(PSI Laksang Bhutia)
Bagdogra Police Station/SPC
22/03/2021


22/03/2021
Officer-in-charge
Bagdogra P.S. - 3
Siliguri Metropolitan Police