

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

4501



1. P.S. Mahigara Year 2021 FIR No 449/21 Date 05.06.2021  
2. Sections X (i) Act. NDPS Act Sections 21(e) NDPS  
Sections (iv) Others Acts & Sections Del.

3. (a) Occurrence of Offence : Day Saturday Date From 05.06.2021 Date To  
Time Period Time From 17:45 Time To 18:35 hrs.  
(b) Information received at P.S. Date 05.06.2021 Time 19:45  
(c) General Diary Reference : Entry No(s) 247 Time 19:45

4. Type of Information Written / Oral  
5. Place of Occurrence : (a) Direction and Distance from P.S. 1 KM north approx. Beat No.  
(b) Address Biswas Colony more under Mahigara PS / Siliguri Police Commissionerate  
(c) In case outside limit of this Police Station, then the Name of the P.S. N/A. District

6. Complainant / Informant :  
(a) Name S.I. Shekhar Adhikary  
(b) Father's / Husband's Name Sonatan Adhikary  
(c) Date / Year of Birth (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 Mahigara Police Station / Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) :  
Aced. Md. Samir (28) s/o Md. Kabil of Tumbajole Beldayi PS Mahigara Dist-Dstn II) Md. Belal (34) s/o Md. Barjahan of Himra Mechiapara PS Mahigara Dist-Dstn. III) Sanyal Mandal (32) s/o Lt. Umerh Mandal of Dehbandhupara P.O. PS Siliguri

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :  
packet containing 285 gram brown one transparent plastic kept under foot box of one red color Pulsar 180 cc motorcycle etc NO. WB 745 5604 and marked as Susar exhibit A1 containing 205 gram brown

12. FIR Contents (Attach separate sheets, if required) :  
The original written complaint which is treated as FIR is 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 S.I. Subir Chowdhury of Mahigara PS to take up investigation / refused investigation / transferred to P.S. PS/SPE Siliguri Police Commissionerate 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 :  
05.06.2021 at 21.00 hr  
Signature of the Officer-in-Charge, Police Station Anirban Bhattacharya  
Name : S.I. of Police Rank : No. Mahigara PS/SPE

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

Sub: - F.I.R

In producing herewith three (03) arrested accused persons namely 1) Md. Samir (28), S/O- Md. Kapil of Tumbajote, Beldangi, PS- Matigara, Dist- Darjeeling, 2) Md. Belal (34), S/O- Md. Barjahan of Himul, Mechia Para, PS- Matigara, Dist- Darjeeling and 3) Sanjay Mandal (32), S/O Lt. Umesh Mandal of Deshbandhupara, PO + PS Siliguri, Dist- Darjeeling (not verified) along with the following seized article under proper seizure as per seizure list;

- a) One transparent plastic packet containing 285 grams brown sugar which was kept inside tool box of one red colour Pulsar 180 CC Motorcycle having number plate- WB 74 S-5604 and marked as "Exhibit- A".
- b) One transparent pouch containing 20 grams brown sugar taken as sample from exhibit "A" for examination and marked as Exhibit "A-1".
- c) One red colour Pulsar 180 CC Motorcycle having number plate- WB 74 S-5604.

I, SI Shekhar Adhikary, S/O- Sonatan Adhikary of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely 1) Md. Samir (28), S/O- Md. Kapil of Tumbajote, Beldangi, PS- Matigara, Dist- Darjeeling, 2) Md. Belal (34), S/O- Md. Barjahan of Himul, Mechia Para, PS- Matigara, Dist- Darjeeling and 3) Sanjay Mandal (32), S/O Lt. Umesh Mandal of Deshbandhupara, PO + PS Siliguri, Dist- Darjeeling (not verified) to the effect that today on 05.06.2021 at about 16.25 hrs I received a specific source input that three persons was standing at Biswas Colony More under Matigara PS with huge quantity of Brown Sugar for delivering the same to their designed customers at the adjacent areas. The matter was diarized in Matigara PS GDE No. 236, Dt- 05.06.2021 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 Subhendu Das, Const- 1035 Santosh Rabidas, Const- 1008 Kanak Roy and Const- 986 Rajib Sarkar all of Matigara PS, SPC along with investigation kit left for Biswas Colony More under Matigara PS by govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 237 Dt- 05.06.2021 and M.C.C No- 1310/21 Date- 05.06.2021.

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 Biswas Colony More I contacted two persons namely (i) Manish Daluja, S/O- Lt. Harbanslal Daluja of Rabindra Sarani, Ward No 44, Siliguri, Jalpaiguri, A/P Chang More, City Centre Punjabi Foot Plaza, PS- Matigara, Dist- Darjeeling and (ii) Rishikesh Ghosh, S/O- Lt. Prabir Kumar Ghosh of Saradapally, Shibmandir, PS- Matigara, Dist- Darjeeling and make 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 the independent witnesses noted above reached at Biswas Colony More under Matigara PS at 16:55 hrs and being pointed by my reliable source approached towards three persons standing there with a motorcycle. At that time seeing the Police party approaching towards them started fled away from the spot riding the motorcycle but, however we managed to apprehend them with the motorcycle having number plate WB 74 S 5406. Above noted Md. Samir was found riding the above noted motorcycle and above noted Md. Belal and Sanjay Mandal were found as pillion rider on the above note motorcycle. Thereafter, we disclosed our identity and the information in hand and stated them that they will be searched in person for the purpose. At this, they after disclosing their identity as noted above admitted that they has illegally possessed brown sugar for selling the same to their designed customers as per their requirement. I then gave them option in writing whether they wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer. At this they 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, they did not search the police party. Accordingly, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, 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 Brown Sugar and requested him to come at Biswas Colony More, under Matigara PS to remain present and to supervise the search and seizure.

Contd..

SI Shekhar Adhikary  
05/06/2021



Accordingly at 17:25 hrs Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, Siliguri Police Commissionerate arrived at the spot at Biswas Colony More as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons following all formalities, keeping his decency and recovered the above noted article from the exclusive and conscious possession of the accused persons namely Md. Samir, Md. Belal and Sanjay Mandal. Further, on demand in presence of Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC, the detained persons namely Md. Samir, Md. Belal and Sanjay Mandal 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 285 grams of brown sugar kept in a transparent pouch which was kept inside tool box of one red colour Pulsar 180 CC Motorcycle having number plate- WB 74 S-5604 under the joint possession of accused Md. Samir, Md. Belal and Sanjay Mandal and marked as "Exhibit- A". I also taken 20 grams of Brown Sugar from the packet as sample for examination and marked as "Exhibit A-1". Accordingly, I seized the above noted articles from the exclusive, conscious and joint possession of accused namely Md. Samir, Md. Belal and Sanjay Mandal at the spot at Biswas Colony More under proper seizure list in presence of independent witnesses and Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons. Subsequently, I labeled and sealed all the seized articles in presence of Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons. The whole process of seizure was made in between 17.45 hrs to 18.35 hrs.

Being further asked the apprehend persons namely Md. Samir, Md. Belal and Sanjay Mandal admitted in presence of Sri Manish Kumar Yadav, Assistant Commissioner of Police, Traffic, East, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC and other independent witnesses that they has procured the brown sugar clandestinely from Naxalbari side for the purpose of selling the same in high rate to their designed customer for their personal gain by illegal means. They also disclosed that they have been dealing in this business of procuring and selling of 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 Md. Samir, Md. Belal and Sanjay Mandal is involved in procuring and selling of brown sugar illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Md. Samir, Md. Belal and Sanjay Mandal 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 1) Md. Samir (28), S/O- Md. Kapil of Tumbajote, Beldangi, PS- Matigara, Dist- Darjeeling, 2) Md. Belal (34), S/O- Md. Barjahan of Himul, Mechia Para, PS- Matigara, Dist- Darjeeling and 3) Sanjay Mandal (32), S/O Lt. Umesh Mandal of Deshbandhupara, PO + PS Siliguri, Dist- Darjeeling (not verified) and arrange for its investigation.

Enclosure:

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

*Received on 05.06.2021 at 19:45h.  
vdpr GDE NO 247 dt 05/06/2021  
and started Matigara PS case  
no 449/2021 dt 05/06/2021 w/s  
21(C) NDPS act and declared  
to SI Subir Chowdhury for its  
investigation*

*[Signature]*  
Office in Charge  
Matigara Police Station  
Siliguri Police Commissionerate

Yours faithfully,

SI Shekhar Adhikary  
SI Shekhar Adhikary  
Matigara Police Station  
Siliguri Police Commissionerate