



1. Dist. **SPC** P.S. **Mahgara** Year **2021** FIR No. **760/21** Date **27-07-2021**  
2. i) Act **X** Sections **X** ii) Act **NDPS Act** Sections **21 (c) NDPS Act**  
(iii) Act **X** Sections **X** (iv) Others Acts & Sections **Act**

3. (a) Occurrence of Offence : Day ..... Date From **27-07-2021** Date To .....  
Time Period ..... Time From **06:05h** Time To **08:05 hr.**  
(b) Information received at P.S. Date **27-07-2021** Time **08:35 hrs**  
(c) General Diary Reference : Entry No(s) **1526** Time **08:35 hrs**

4. Type of Information : ..... Written / Oral  
5. Place of Occurrence : (a) Direction and Distance from P.S. **6 km East** Beat No. ....  
(b) Address **Kawakhali Neemtala under NBME OP PS. Mahgara Dist. Dst.**  
(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 Rantu Halder**  
(b) Father's / Husband's Name **Monosanjou Halder**  
(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**  
(g) Address **NBME OP Under Mahgara PS/Siliguri Police Commissionerate**

7. Details of known / suspected / unknown accused with full particulars  
(Attach separate sheet, if necessary) : **Accd: i) Joyash Sarkar (28) s/o Shyamal Sarkar of Kawakhali Neemtala PS. Mahgara Dist. Dst.**  
**ii) Biki Das (22) s/o Bherat Das of - DO - iii) Raju Maudel (20) s/o Himangshu Maudel of - DO - iv) Sanjit Roy (21) s/o Sajal Roy of DO.**

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : **i) 30 (Thirty) bottles of Lykappa Cough Syrup (each bottle containing 100ml) Batch NO 7BH00272 MFG DT: 02/2021 ii)**

10. Total value of properties stolen / involved **ii) 30 (Thirty) bottles of Corax Cough Syrup (each bottle containing 100ml)**

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 re-produced 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 **S.I. Maheshwar Ch. Panigrahi** to investigate / refused investigation / transferred to P.S. **NBME OP Under Mahgara PS** 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 **PSI Rantu Halder**  
Signature of the Officer in Charge, Police Station **Ambar Bhattacharya**  
Matigara Police Station, Siliguri





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

Sub: - F.I.R

Sir,

In producing herewith four (04) arrested accused persons namely (1) Tapash Sarkar (M/28) S/O - Shyamal Sarkar of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling, (2) Biki Das (M/22) S/O- Bharat Das of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling and (3) Raju Mandal (M/20) S/O- Himangshu Mandal of Kawakhali, Neemtala PS- Matigara, Dist- Darjeeling (4) Sanjit Roy (M/21) S/O- Sajal Roy of Kawakhali, Neemtala, P.S- Matigara, Dist- Darjeeling along with the following seized article under proper seizure as per seizure list;

- (a) One bag containing (1) 30 (thirty) bottles of "Lykarex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0272, Mfg. Date: 02/2021. Exp. Date: 01/2023 marked as exhibit- A, (2) 30 (thirty) bottles of "Corex" Cough Syrup (each bottle containing 100 ml) having Lot No. 620-13407T, Mfg. Date: DEC.2016. Exp. Date. NOV. 2018 marked as exhibit - B, seized from the exclusive and conscious possession of above noted four accused persons.
- b) One (01) bottle of "Lykarex" Cough Syrup (each bottle containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- c) One (01) bottle of "Corex" Cough Syrup (each bottle containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1"

I, PSI Rantu Halder S/O- Monoranjan Halder of NBMC OP under-Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely (1) Tapash Sarkar (M/28) S/O - Shyamal Sarkar of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling, (2) Biki Das (M/22) S/O- Bharat Das of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling and (3) Raju Mandal (M/20) S/O- Himangshu Mandal of Kawakhali, Neemtala PS- Matigara, Dist- Darjeeling (4) Sanjit Roy (M/21) S/O- Sajal Roy of Kawakhali, Neemtala, P.S- Matigara, Dist- Darjeeling to the effect that on 27.07.2021 at about 06.05 hrs I received a specific source input that four persons possessing huge quantity of 'Codeine Phosphate' based drugs were at Kawakhali, Neemtala under Matigara PS for clandestine disposal of the said drugs to their designed customers. The matter was diarized in NBMC OP GDE No. 814/2021 Dt- 27.07.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Dulal Dey, Const- 500 Mayaram Oraon and CV/665 Raju Sarkar all of NBMC OP Matigara PS, SPC along with investigation kit left for Kawakhali, Neemtala under Matigara PS by govt. vehicle to verify the veracity of the information. This refers to NBMC OP GDE No. 814 Dt- 27.07.2021 and M.C.C No- 1346/21 Date- 27.07.2021.

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.

Contd..

PSI Rantu Halder  
NBMC OP  
PS - Matigara / SPC

28/8/21



On reaching at Kawakhali, Neemtala at 06.30 hrs, I contacted two persons namely (1) Krishna Sarkar S/O- Shyamal Sarkar (2) Jagadish Biswas S/O- Robin Biswas both of Kawakhali, Neemtala, PO- Sushrutanagar, 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 At 06:40 hrs we detained four persons at Kawakhali, Neemtala who were standing and they all were possessed a bag under their possession. Thereafter, we disclosed our identity and the information in hand and stated them that they as well as bags under their possession will be searched for the purpose. And, I gave them option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which 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. Consequently, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Rajen Chhetri, 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 Kawakhali, Neemtala under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 07.25 hrs Rajen Chhetri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Kawakhali, Neemtala under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons following all formalities, keeping their decency and recovered the above noted article from the exclusive, conscious and joint possession of the above noted accused persons.

It has been found that bag of the possession of the above noted accused persons containing (1) 30 (thirty) bottles (each bottle containing 100 ml) "Lykarex" Cough Syrup, (2) 30(thirty) bottles "Corex" Cough Syrup (each bottle containing 100 ml [Total 2 X 30 = 60 (sixty) bottles containing 2 X 30 X 100 ml = 6000 ml i.e., equivalent to 6 Kg] of "Lykarex" Cough Syrup and "Corex" Cough Syrup.

Further, on demand in presence of Rajen Chhetri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely (1) Tapash Sarkar (M/28) S/O - Shyamal Sarkar of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling, (2) Biki Das (M/22) S/O- Bharat Das of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling and (3) Raju Mandal (M/20) S/O- Himangshu Mandal of Kawakhali, Neemtala PS- Matigara, Dist- Darjeeling 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 60 (sixty) bottles [containing 6000 ml i.e., equivalent to 6 Kg] of "Lykarex" Cough Syrup and "Corex" Cough Syrup [including 2 X 2 = 4 (four) bottles of "Lykarex" Cough Syrup (each containing 100 ml) and "Corex" Cough Syrup (each containing 100 ml) which were taken randomly from the mother packets for examination] conscious and joint possession of above noted accused persons failed to produce any valid documents/papers or explanation for possessing at the spot at Kawakhali, Neemtala, under proper seizure list in presence of independent witnesses and Rajen Chhetri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being

*Rajen Chhetri*  
S.P.C.  
S. K. T.

*Received at  
10.11.2014  
by  
J. K. S.  
for  
recovery of  
narcotics  
substance*



Subsequently, I labelled and sealed the seized articles in presence of Rajen Chhetri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the above noted accused persons. The whole process of seizure was made in between 07.35 hrs to 08.05 hrs.

Being further asked, the apprehend above noted accused persons admitted in presence of Rajen Chhetri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that they have procured the 'Codeine Phosphate' based drugs clandestinely 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 'Codeine Phosphate' based drugs illegally for last few months for their wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely (1) Tapash Sarkar (M/28) S/O - Shyamal Sarkar of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling, (2) Biki Das (M/22) S/O- Bharat Das of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling and (3) Raju Mandal (M/20) S/O- Himangshu Mandal of Kawakhali, Neemtala PS- Matigara, Dist- Darjeeling (4) Sanjit Roy (M/21) S/O- Sajal Roy of Kawakhali, Neemtala, P.S- Matigara, Dist- Darjeeling are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons 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) Tapash Sarkar (M/28) S/O - Shyamal Sarkar of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling, (2) Biki Das (M/22) S/O- Bharat Das of Kawakhali, Neemtala, PS- Matigara, Dist- Darjeeling and (3) Raju Mandal (M/20) S/O- Himangshu Mandal of Kawakhali, Neemtala PS- Matigara, Dist- Darjeeling (4) Sanjit Roy (M/21) S/O- Sajal Roy of Kawakhali, Neemtala, P.S- Matigara, 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.

Yours faithfully,

*(Signature)* 27/07/2021  
 (PSI Rantu Haldar)  
 NBMC OP  
 Matigara Police Station  
 Siliguri Police  
 Commissionerate

*Received on 27/07/2021 at 08.15hr vide  
 NBMC OP GDE no 820 and original  
 copy sent to the Matigara  
 D. for starting a case under proper  
 section of law and arranged for its  
 investigation. Ch. Paul for investigation in  
 anticipation of your kind approval.*

*Received on 27.07.2021 at 08.35hr  
 vide GDE no 1526 Dt. 27/07/2021 and  
 started Matigara PS (Case no 760/2021  
 Dt. 27.07.2021 u/s 21(c) NDPS Act  
 and endorsed to SI Michaelwar  
 Ch. Paul of NBMC OP for its  
 investigation.*

*(Signature)*  
 Officer in-Charge  
 N.B.M.C. & Hospital Police Out Post  
 PS. Matigara, SPC

*(Signature)*  
 Officer in-Charge  
 Matigara Police Station  
 Siliguri Police Commissionerate