

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



P.S. Mahigara Year 2021 FIR No. 017/21 Date 23-08-2021
 (i) Act Sections 1 (ii) Act NDPS Act Sections 21(C) NDPS
 (iii) Act Sections X (iv) Others Acts & Sections Act
 (a) Occurrence of Offence : Day Monday Date From 23-08-2021 Date To
 Time Period Time From 11:15 hrs Time To 12:35 hrs
 (b) Information received at P.S. Date 23-08-2021 Time 13:35 hrs
 (c) General Diary Reference : Entry No.(s) 1270 Time 13:35 hrs

Type of Information : Written / Oral
 Place of Occurrence : (a) Direction and Distance from P.S. 1 km North Beat No.
 (b) Address Old Mahigara Road Under Near New Chowk
Bridge Under Mahigara PS/Spc.
 (c) In case outside limit of this Police Station, then the
 Name of the P.S. N/A District

Complainant / Informant :
 (a) Name S.I. Abhishek Thorough
 (b) Father's / Husband's Name Suchandra Kumar Thorough
 (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

Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary) : Accd. 1) Md Sofikul (as) S/O Md Alow
of Biswas Colony PO + PS Mahigara Dist - DJS-2) and Soansha
(9) S/O Md Tajib of Simrai Bazar Near St Anthony
School PO - Regubur Dist - Subul Bihar B/P C/O Md Alow
Biswas Colony PO + PS - Mahigara Dist - DJS.

Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
40 (Forty) bottle of Phensedyl cough syrup (each bottle containing 100 ml)
22 (Twenty Two) bottles of LYKAREX cough syrup (each
bottle containing 100 ml) and also
 Total value of properties stolen / involved one brown bottle as a sample.
 Inquest Report / U.D. Case No. if any

FIR Contents (Attach separate sheets, if required) : The original written complaint
which is treated as FIR is re-produced over leaf

Action taken : Since the above report reveals commissions of offence(s) as maintained at item No. 2, registered-Charge
 the case and took up to the investigation ✓ directed S.I. Newton Biswas Mahigara Police Station
to take up Siliguri Police Commissionerate
 investigation / refused investigation / transferred to P.S. of Mahigara PS/Spc on point of
 jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the
 Complainant / Informant free of cost.

Signature / Thumb impression of the Complainant / Informant : Noted in original complaint
 Date & Time of despatch to the court :
 Signature of the Officer-in-Charge, Police Station : [Signature]
 Name : S.I. of Police
 Rank : No.

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

Sub: - F.I.R

Sir,

In producing herewith two (02) arrested accused persons namely Md. Safikul (25) s/o Md Alam, of Biswas Colony, PO+PS Matigara, Dist Darjeeling. 2. Md. Samsheer (19) s/o Md. Taiyab of Simrai Bazar near St. Anthony School, PO Ragupur, Dist-Supul/Bihar A/P- C/O Md Alam of Biswas Colony, PO+PS Matigara, Dist Darjeeling, with the following articles under proper seizure as per-seizure list;

- a) One black and red coloured school bag styled as 'SKYBAGS' containing 40 (Forty) bottles of "PHENSEDYL" Cough Syrup (each bottle containing 100 ml) having Batch No. PHB 21037, Mfg. Date: 03/2021. Exp. Date: 08/2022 seized from the possession of above noted Md. Safikul and marked as "Exhibit- A".
- b) One (01) bottle of "PHENSEDYL" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- c) One black coloured school bag styled as 'STAR FANCY BAG' containing 22 (Twenty Two) bottles of "LYKAREX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0272, Mfg. Date: 02/2021. Exp. Date: 01/2023 seized from the possession of above noted Md. Samsheer and marked as "Exhibit- B".
- d) One (01) bottle of "LYKAREX" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".

I, PSI Abhishek Theengh (32), S/O- Sri Suchandra Kumar Theengh of Matigara PS, SPC do hereby lodged this written complaint against the above noted accused persons namely Md. Safikul (25) s/o Md Alam, of Biswas Colony, PO+PS Matigara, Dist Darjeeling. 2. Md. Samsheer (19) s/o Md. Taiyab of Simrai Bazar near St. Anthony School, PO Ragupur, Dist-Supul/Bihar A/P- C/O Md Alam of Biswas Colony, PO+PS Matigara, Dist Darjeeling under Matigara PS to the effect that on 23.08.2021 at about 09:15 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Old Matigara Road, near Chamta Bridge under Matigara PS to sell the same to their designed local customers. The matter was diarized in Matigara PS GDE No. 1249/21 Dt. 23.08.2021 and subsequently, I informed the matter to the OC, Matigara PS in written and being directed, myself along with ASI Nitai Mandal, Const- 1035 Santosh Rabidas, Const- 1008 Kanak Roy, Const- 986 Rajib Sarkar and CV/387 Sukumar Barman, all of Matigara PS, SPC along with investigation kit left for Old Matigara Road, near Chamta Bridge under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 1250/21 and M.C.C No- 54/021 Dt- 23.08.2021.

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 Old Matigara Road under Matigara PS, I contacted two persons namely (1) Md. Azad Ali s/o Md. Mehbub Ali and (2) Md. Jamil Akhtar s/o Md. Muslim both of Tumbajote, PO+PS Matigara, Dist Darejeeling 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 above noted independent witnesses arrived Old Matigara Road, at 09.45 hrs and subsequently, being pointed by my source detained 02 (two) persons standing at Old Matigara Road near Chamta Bridge. They had carried two school bags as noted above under their possession. Thereafter, we disclosed our identity and the information in hand and stated them that they as well as the 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 Shri Pasang Topgay Bhutia, ACP, SPC 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 Old Matigara Road, near Chamta Bridge to remain present and to supervise the search and seizure.

Accordingly at 11.05 hrs Shri Pasang Topgay Bhutia, ACP, SPC detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Old Matigara Road 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 and conscious possession of the accused persons namely Md. Safikul and Md. Samsheer.

Contd...

PSI Abhishek Theengh

Time of despatch to the court:

24.08.2021 at 10.30h

Rank :

Matigara

It has been found from the bag under the possession of the above noted accused persons namely Md. and Md. Samsher containing A] 40 (Forty) bottles of "PHENSEDYL" cough syrup (each bottle containing 100 ml) containing 40 X 100 ml = 4000 ml i.e., equivalent to 4 Kg, B] 22 (twenty two) bottles of "LYKAREX" cough syrup (each bottle containing 100 ml) containing 22 X 100 ml = 2200 ml i.e., equivalent to 2.2 Kg. Total of 62 bottles of Codeine Phosphate (each bottle containing 100 ml each) containing 62 X 100 ml = 6200 ml, i.e., equivalent to 6.2 kg.

Further, on demand in presence of Shri Pasang Topgay Bhutia, ACP, SPC detailed for acting as Special Executive Magistrate of SPC the detained persons namely Md. Safikul and Md. Samsher 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 A] 40 (Forty) bottles of "PHENSEDYL" Cough Syrup [including 1 bottle of "PHENSEDYL" Cough Syrup which were taken randomly from the mother packet for examination] and B] 22 (twenty two) bottles of "LYKAREX" Cough Syrup [including 1 (one) bottle of "LYKAREX" Cough Syrup which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of the above noted accused persons namely Md. Safikul and Md. Samsher at the spot at Old Matigara Road, Chamta Bridge under proper seizure list in presence of independent witnesses and Shri Pasang Topgay Bhutia, ACP, SPC detailed for acting as Special Executive Magistrate, SPC obtaining their signature and acknowledgment by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Shri Pasang Topgay Bhutia, ACP, SPC detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Md. Safikul and Md. Samsher. The whole process of seizure was made in between 11.15 hrs to 12.15 hrs.

Being further asked, the apprehended persons namely Md. Safikul and Md. Samsher admitted in presence of Shri Pasang Topgay Bhutia, ACP, 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 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 Md. Safikul and Md. Samsher is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Md. Safikul and Md. Samsher 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 Md. Safikul (25) s/o Md Alam, of Biswas Colony, PO+PS Matigara, Dist Darjeeling. 2. Md. Samsher (19) s/o Md. Taiyab of Simrai Bazar near St. Anthony School, PO Ragupur, Dist-Supul/Bihar A/P- C/O Md Alam of Biswas Colony, PO+PS Matigara, Dist Darjeeling under Matigara PS to arrange for its investigation.

Enclosures:

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

Received on 23.08.2024 at 13:35 hrs
Vide GDE NO 1270 Dt 23/08/2024 and
started Matigara PS (Case NO 917/2)
Dt 23/08/2024 u/s 21(C) NDPS Act
and endorsed to SI Newton
Biswas for its investigation.

Yours faithfully,

PSI Abhishek Thengra
(PSI Abhishek Thengra)
Matigara Police Station
Siliguri Police Commissionerate

23/08/2024
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate