



1249

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

Dist. SPE P.S. Mahigore Year 2021 FIR No. 946/21 Date 27.08.2021
 (i) Act x Sections x (ii) Act NDPS Act Sections 21 (c) NDPS
 (iii) Act Sections (iv) Others Acts & Sections bc

(a) Occurrence of Offence : Day Tuesday Date From 27.08.2021 Date To
 Time Period Time From 23.05 Time To 23.35

(b) Information received at P.S. Date 27.08.2021 Time 23.55 hr
 (c) General Diary Reference : Entry No.(s) 1524 Time 23.55 hr

Type of Information : Written / Oral
 Place of Occurrence : (a) Direction and Distance from P.S. 1 KM North Beat No.
 (b) Address Mahigore By-Pass Road PS Mahigore
Dist. Darjeeling

(c) In case outside limit of this Police Station, then the Name of the P.S. District

Complainant / Informant :
 (a) Name PSI Newton Biswas
 (b) Father's / Husband's Name Nisimat Biswas
 (c) Date / Year of Birth : (d) Nationality Indian

(e) Passport No. Date of Issue Place of Issue x
 (f) Occupation Sub Inspector of Police / Siliguri Police Commissionerate
 (g) Address Mahigore Police Station / Siliguri Police Commissionerate

Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary) : Accd. Mukesh Barman (235/0 LI
Asst Barman of Tarasari
PO. New Rangra PS
Mahigore, Darjeeling

Reasons for delay in reporting by the Complainant / Information

Particulars of properties stolen / involved (Attach separate sheet, if necessary):
One mesh colour Nylon bag (containing 25 (Twenty Five)
small bottles of 'Ceprex' Cough Syrup (containing
100ml each bottle) and 1 (one) bottle of
Ceprex Cough Syrup as sample.

Total value of properties stolen / involved
 Inquest Report / U.D. Case No. if any
 FIR Contents (Attach separate sheets, if required) : the original written complainant
which is treated as FIR re - produce overleaf

Action taken : Since the above report reveals commissions of offence(s) as mentioned at item No. 2, registered the case and took up to the investigation / directed PSI Shekhar Bhatnagar to take up
 investigation / refused investigation / transferred to P.S. of Mahigore PS/SI
 jurisdiction. FIR read over to the Complainant / Informant, admitted to be correctly recorded and a copy given to the
 Complainant / Informant free of cost. Office on point of Mahigore Police Station Siliguri Police Commissionerate

Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station
 Name : PSI Shekhar Bhatnagar
 Rank : SI of Mahigore PS/SI
 No. 235/0 LI

Date & Time of despatch to the court : 28.08.2021



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

Sub: - F.I.R

In producing herewith one (01) arrested accused person namely Mukesh Barman (23) S/O- Lt. Anil Barman of Tarabari, PO- New Rangia, PS- Matigara, Dist Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One multi colour nylon bag containing 25 (twenty five) bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0232, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was kept inside one nylon bag - seized from the possession of above noted Mukesh Barman (23) and marked as "Exhibit- A".
- b) One (01) bottle of "Cefrex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".

I, SI Newton Biswas (25), S/O- Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Mukesh Barman (23) S/O- Lt. Anil Barman of Tarabari, PO- New Rangia, PS- Matigara, Dist Darjeeling to the effect that on 27.08.2021 at about 21:40 hrs I received a specific source input that one person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Matigara By Pass More under Matigara PS to sell the same to his designed customers. The matter was diarized in Matigara PS GDE No. 1504 Dt. 27.08.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Tapan Das, Const- 1008 Kanak Roy and Const- 986 Rajib Sarkar all of Matigara PS, SPC along with investigation kit left for Matigara By Pass More under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No.1505 Dt. 27.08.2021 and M.C.C No-2199/2021 Date- 27.08.2021.

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 Matigara By Pass More under Matigara PS I contacted two persons namely (1) Md. Khalilul Rahman (49) S/O- Lt. Md. Hachan Ali of Tarijote, P.O- New Rangia, P.S- Matigara, Dist- Darjeeling and (2) Golak Barai (39) S/O- Lt. Bhim Barai of Shimultala, P.O+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 above noted independent witnesses arrived at Matigara By Pass More under PS- Matigara at 22.05 hrs and subsequently, being pointed by my source detained 01 (one) person standing at Matigara By Pass More. He had carried one multi colour nylon bag under his possession. Thereafter, we disclosed our identity and the information in hand and stated him that he as well as the bag under his possession will be searched for the purpose. And, I gave him option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused person to search our Police Party as per provisions but he 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 Rajen Chettri, 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 person suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at Matigara By Pass More under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 22.55 hrs Shri Rajen Chettri, ACP, SPC detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Matigara By Pass More under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained person following all formalities, keeping his decency and recovered the above noted article from the exclusive and conscious possession of the accused person namely Mukesh Barman (23) S/O- Lt. Anil Barman of Tarabari, PO- New Rangia, PS- Matigara, Dist Darjeeling.

Contd.....

PS: Newton

Biswas
27/8/2021

On being searched of the said detained person found 25 (twenty five) bottles of "Cefrex" cough syrup (each bottle containing 100 ml) containing 25 X 100 ml = 2500 ml i.e., equivalent to 2.5 Kg] which was kept into a nylon bag carried by the detained person namely Mukesh Barman (23) S/O- Lt. Anil Barman of Tarabari, PO- New Rangia, PS- Matigara, Dist Darjeeling.

Further, on demand in presence of Shri Rajen Chettri, ACP, SPC detailed for acting as Special Executive Magistrate of SPC the detained person namely Mukesh Barman (23) 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 25 (twenty five) bottles [containing 2500 ml i.e., equivalent to 2.5 Kg] of "Cefrex" Cough Syrup [including 1 (one) bottles of "Cefrex" Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Mukesh Barman at the spot at Matigara By Pass More under Matigara PS under proper seizure list in presence of independent witnesses and Shri Rajen Chettri, ACP, SPC detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused person.

Subsequently, I labelled and sealed the seized articles in presence of Shri Rajen Chettri, ACP, SPC detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Mukesh Barman. The whole process of seizure was made in between 23.05 hrs to 23.35 hrs.

Being further asked, the apprehend persons namely Mukesh Barman admitted in presence of Shri Rajen Chettri, ACP, SPC detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that he has procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same in high rate to his designed customer for his personal gain by illegal means. He also disclosed that he has been dealing in this business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for his wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Mukesh Barman is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused person namely Mukesh Barman after observing all formalities and informing the ground of his 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 person Mukesh Barman (23) S/O- Lt. Anil Barman of Tarabari, PO- New Rangia, PS- Matigara, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Yours faithfully,

Newton Biswas 27/08/2024
(SI Newton Biswas)
Matigara Police Station
Siliguri Police Commissionerate

*Received on 27.08.2024 at 23.55 h
Wd+ COENO 1524 dt 27/08/2024 and
started Matigara PS case NO 946/21
dt. 27/08/2024 u/s 21(C) NDPS Act.
and send to PSI Shekher
Bhikery of Matigara PS / SPC
for its investigation*

[Signature]
27/8/2024
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate