

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

2367
12-09-2021

1 Dist SPE P.S. Mahigara Year 2021 FIR No. 1014/21 Date 12-09-2021

2 i) Act NDPS Act Sections 21 (C) NDPS Act Sections

(iii) Act Sections (iv) Others Acts & Sections

3 (a) Occurrence of Offence : Day Date From 12-09-2021 Date To

Time Period Time From 19:55 Time To 20:25

(b) Information received at P.S. Date 12-09-2021 Time 20:55 hr

(c) General Diary Reference : Entry No(s) 628 Time 20:55 hr

4 Type of Information Written / Oral

5 Place of Occurrence : (a) Direction and Distance from P.S. 1 KM North Beat No.

(b) Address Simultala Near Webel I.T. Park, P.S. Mahigara
Dist. Darjeeling

(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 Newton Biswas (25)

(b) Father's / Husband's Name Nirman Biswas

(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 Commissioner's

(g) Address Mahigara Police Station / Siliguri Police Commissioner's

7 Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : Beed i) Prakash Sharma (32) s/o Dipak Sharma of Buri Balaran College para P.S. Bagdogra Dist. DSK
ii) Ritik Mishra (19) s/o Nilambar Mishra of Bhujipara Machi Bazar PO P.S. Bagdogra Dist. DSK.

8 Reasons for delay in reporting by the Complainant / Information

9 Particulars of properties stolen / involved (Attach separate sheet, if necessary) : 1) 30 (Thirty) Bottle 'CEFREX' cough syrup each bottle containing 100 ML
2) 25 (Twenty Five) bottles CEFREX cough syrup each bottle containing 100 ML
3) One bike bearing no WB-74-A7-5773

10 Total value of properties stolen / involved

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 enclosed here with

13 Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered PSI Abhishek Through of Mahigara Police Station

up the investigation / directed. Mahigara PS/SPC on point of

investigation / refused investigation / transferred to P.S. Mahigara PS/SPC 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

Signature of the Officer-in-Charge, Police Station Amirban Bhattacharya

Name : Amirban Bhattacharya Rank : No. SS of Police

15 Date & Time of despatch to the court : 13-09-2021 at 11:40 L

Signature of the Officer-in-Charge, Police Station Amirban Bhattacharya

Name : Amirban Bhattacharya Rank : No. SS of Police

Signature of the Officer-in-Charge, Police Station Amirban Bhattacharya

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Signature of the Officer-in-Charge, Police Station Amirban Bhattacharya

Name : Amirban Bhattacharya Rank : No. SS of Police

Charge,
Police Station,
Police Commissionerate.

Sub: - F.I.R

In producing herewith one (02) arrested accused person namely Prakash Sharma (32) s/o Dipak Prasad Sharma of Buri Balason College Para, PO+PS Bagdogra, Dist-Darjeeling and Ritik Mishra (19), s/o Nilambar Mishra of Bhujiapani, Machi Baazar, PO+PS Bagdogra, Dist- Darjeeling along with the following articles under proper seizure as per seizure list;

- a) Total 30 (thirty) bottles of "CEFREX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0230, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was kept inside One Black colour school bag written on it "PUMA" - seized from the exclusive and conscious possession of above noted Prakash Sharma 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".
- c) Total 25 (twenty five) bottles of "CEFREX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0230, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was kept inside one black School bag - seized from the exclusive and conscious possession of above noted Ritik Mishra and marked as "Exhibit- B".
- d) One (01) bottle of "CEFREX" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".
- e) One blue colour Yamha Bike having Registration no. WB- 74- AY-5773.

I, PSI Newton Biswas (25), S/O- Sri Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely Dipak Prasad Sharma of Buri Balason College Para, PO+PS Bagdogra, Dist-Darjeeling and Ritik Mishra (19), s/o Nilambar Mishra of Bhujiapani, Machi Baazar, PO+PS Bagdogra, Dist- Darjeeling to the effect that on 12.09.2021

at about 18:30 hrs I received a specific source input that two person possessing huge quantity of 'Codeine Phosphate' based drugs was standing at Shimultala near Webel IT Park under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No.622 Dt. 12.09.2021 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 Tapan Das, Const- 1035 Santosh Rabidas and Const- 1008 Kanak Roy all of Matigara PS, SPC along with investigation kit left for Shimultala near Webel IT Park under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 624 Dt. 12.09.2021 and M.C.C No- 367/21 Date- 12.09.2021.

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 Shimultala under Matigara PS I contacted two persons, namely (1) Golok Barai (M/45) S/O Lt. Bhim Barai of Shimultala, P.O + P.S- Matigara, Dist- Darjeeling and (2) Khalilur Rahaman (44) S/O- Lt. Hachan Ali, of Tarabari, P.O- New Rangia, 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 Shimultala near Webel IT Park under PS- Matigara at 19.05 hrs and subsequently, my source pointed at 02 (two) persons standing near Webel IT Park, Shimultala with a blue coloured Yamaha Bike having Registration no. WB- 74- AY-5773. At that time seeing the Police party approaching towards them they tried to flee away from the spot riding the Yamaha bike but, however we managed to apprehend them with the Bike. Above noted Prakash Sharma was found riding the above noted bike and above noted Ritik Mishra was found as pillion rider on the above note bike. Each of them carried black colour school bag under their 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 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 Narendra Kalicotay, 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 Shimultala near Webel IT Park under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 19.45 hrs Shri Narendra Kalicotay, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at near Webel IT Park, Shimultala 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 persons namely 1. Prakash Sharma (32) s/o Dipak Prasad Sharma of Buri Balason College Para, PO+PS Bagdogra, Dist-Darjeeling and 2. Ritik Mishra (19), s/o Nilambar Mishra of Bhujiapani, Machi Baazar, PO+PS Bagdogra, Dist- Darjeeling.

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...en found from the bag under the possession of the above noted accused person namely Prakash Sharma
30 bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) (each bottle containing 100 ml) containing
ml = 3000 ml i.e., equivalent to 3 Kg].
It has been found from the bag under the possession of the above noted accused person namely Ritik Mishra
containing 25 (twenty five) bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) containing 25 X 100 ml = 2500
i.e., equivalent to 2.5 Kg]

Further, on demand in presence of Shri Narendra Kalicotay, Assistant Commissioner of Police, Siliguri Police
Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Prakash Sharma
& Ritik Mishra 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 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3 Kg] of "Cefrex" Cough
Syrup [including 1 (one) bottle of "Cefrex" Cough Syrup (each 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
Prakash Sharma & 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 (each containing 100 ml) which were taken randomly from the mother
packet for examination] from the exclusive and conscious possession above noted accused person namely Ritik Mishra at
the spot at Shimultala near Webel IT Park, under Matigara PS under proper seizure list in presence of independent
witnesses and Shri Narendra Kalicotay, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for
acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Shri Narendra Kalicotay, Assistant Commissioner
of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent
witnesses and the accused persons namely Prakash Sharma & Ritik Mishra. The whole process of seizure was made in
between 19.55 hrs to 20.25 hrs.

Being further asked, the apprehend persons namely Prakash Sharma & Ritik Mishra admitted in presence of Shri
Narendra Kalicotay, 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 his designed local customer for his 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 his wrongful gain.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely
Prakash Sharma & Ritik Mishra 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 namely Prakash Sharma & Ritik Mishra 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 persons namely 1. Prakash Sharma (32) s/o Dipak Prasad Sharma of Buri Balason College Para,
PO+PS Bagdogra, Dist-Darjeeling and 2. Ritik Mishra (19), s/o Nilambar Mishra of Bhujipani, Machi Bazaar, PO+PS
Bagdogra, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Received on 12.09.2021 at 20:55 h
vide G.D. No 628 Dt 12/09/2021
and started Matigara PS case
NO 1014/21 Dt 12/09/2021 u/s
21 (C) NDPS Act and eidomud
to PSI Abhishek Theerth for
its investigation
14917

Yours faithfully,

AB Biswas 12/09/2021
(PSI Newton Biswas)
Matigara Police Station
Siliguri Police Commissionerate

Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate