

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

2388
16.09.2021



P.S. Matigara Year 2021 FIR No 1035/21 Date 16.09.2021
DPS Act Sections 21 (C) NDPS Act Sections

3 (a) Occurrence of Offence Day 16.09.2021 Date From 16.09.2021 Date To 16.09.2021
Time Period Time From 08.05 Time To 08.35 hr.
(b) Information received at P.S. Date 16.09.2021 Time 09.25 hrs
(c) General Diary Reference : Entry No(s) 245 Time 09.25 hr.
Written / Oral Written

4 Type of Information
5 Place of Occurrence (a) Direction and Distance from P.S. Beat No.
(b) Address Matigara By Pass Road, P.S. Matigara 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 Shekhar Adhikary
(b) Father's / Husband's Name LT Sonatan Adhikary
(c) Date / Year of Birth : X Date of Issue : X Place of Issue X
(d) Nationality Indian
(e) Passport No. X
(f) Occupation Sub Inspector of Police / Siliguri Police Commissionerate
(g) Address Matigara Police Station / Siliguri Police Commissionerate

7 Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : Aed. Md. Ali (as) s/o Md. Jalar of
Mushah Matigara P.S. Matigara Dist. D.J. #

8 Reasons for delay in reporting by the Complainant / Information

9 Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One Multi-Column Nylon

10 Total value of properties stolen / involved bag containing 22 (Twenty Two) bottles of CEFREX cough
Syrup (each bottle contains 100 ml)

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 a

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 PSI Newton Biswas of Matigara P.S. / SP to take up investigation / refused investigation / transferred to P.S. Matigara Police Station Officer In-Charge
jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy Siliguri Police Commissionerate of the complaint furnished to the Complainant.
Informant free of cost.

14 Signature / Thumb impression of the Complainant / Informant
Noted in original complaint

15 Date & Time of despatch to the court : 16.09.2021 at 11.00 hr

Signature of the Officer-in-Charge, Police Station
Name : Anirban Bhattacharya
Rank : No. SI Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate

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

Sub: - F.I.R

Sir,
In producing herewith one (01) arrested accused person namely Md. Ali (25) S/O- Md. Jalal of Murihati, Matigara Bazar, PO+PS- Matigara, Dist Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One multi-colour nylon bag containing 22 (twenty-two) bottles of "Cefrex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU0230, Mfg. Date: 02/2021. Exp. Date: 01/2023, seized from the Exclusive and conscious possession of above noted Md. Ali (25) and marked as "Exhibit- A".
- b) One (01) bottle of "Cefrex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit-A" as sample for examination and marked as "Exhibit A-1".

I, PSI Shekhar Adhikary, S/O- Lt. Sonatan Adhikary of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Md. Ali (25), S/O- Md. Jalal of Murihati, Matigara Bazar, PO+PS- Matigara, Dist Darjeeling to the effect that on 16.09.2021 at about 06.25hrs 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.836 Dt. 16.09.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Tapan Das, Const- 986 Rajib Sarkar and C/1035 Santosh Robidas 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.837 Dt.16.09.2021 and M.C.C No-399/2021 Date- 16.09.2021.

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 Matigara By- Pass More under Matigara PS I contacted two persons namely (1) Ganhari Singh (32) S/O- Dajiban Singh of Jora Bridge, Tumbajote, P.O+PS-Matigara, Dist- Darjeeling and (2) Jitendra Barman (30), S/O- Lt. Lalit Barman of Rananagar, 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 06.45hrs 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 in his right hand. 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 Manish Kumar Yadav, Assistant Commissioner of Police(west), 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 07.40hrs Shri Manish Kumar Yadav, Assistant Commissioner of Police(west), Siliguri Police Commissionerate 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 Md. Ali (25) S/O- Md. Jalal of Murihati, Matigara Bazar, PO+PS- Matigara, Dist Darjeeling.

Contd.....

PSI Shekhar Adhikary
16.09.2021.



On being searched of the said detained person found 22 (twenty-two) bottles of "Cefrex" cough syrup (each bottle containing 100 ml) containing 22 X 100 ml = 2200 ml i.e., equivalent to 2.2 Kgs. which was kept into a nylon bag carried by the detained person namely Md. Ali (25) S/O- Md. Jalal of Murihati, Matigara Bazar, PO+PS- Matigara, Dist Darjeeling.

Further, on demand in presence of Shri Manish Kumar Yadav, ACP(west), SPC detailed for acting as Special Executive Magistrate of SPC the detained person namely Md. Ali (25) 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 22 (twenty two) bottles [containing total 2200 ml i.e., equivalent to 2.2 Kg] of "Cefrex" Cough Syrup [including 1 (one) bottles of "Cefrex" Cough Syrup (containing 100 ml) which was taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Md. Ali (25) at the spot at Matigara By Pass More under Matigara PS under proper seizure list in presence of independent witnesses and Shri Manish Kumar Yadav, ACP(west), 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 Manish Kumar Yadav, ACP(west), SPC detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Md. Ali (25). The whole process of seizure was made in between 08.05 hrs to 08.35hrs.

Being further asked, the apprehend persons namely Md. Ali (25) admitted in presence of Shri Manish Kumar Yadav, ACP (west), 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 Md. Ali (25) 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 Md. Ali (25) S/O- Md. Jalal of Murihati, Matigara Bazar, PO+PS- Matigara, Dist Darjeeling 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 Md. Ali (25) S/O- Md. Jalal of Murihati, Matigara Bazar, PO+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.

*Received on 16.09.2021 at 09.25h
 With CDENO 845 DT 16/09/2021 and
 started Matigara PS Case No 1030/21
 DT 16.09.2021 U/S 21(C) NDPS Act
 and enclosed to PS, Siliguri
 BS Wew for its investigation*

Yours faithfully,
 PSI Shekhar Adhikary
 (PSI Shekhar Adhikary) 9.2021
 Matigara Police Station,
 Siliguri Police Commissionerate.

16/09/2021
 Officer In-Charge
 Matigara Police Station
 Siliguri Police Commissionerate