

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

3410



1. District: **Spc** PS: **Mahagara** Year: **2021** FIR No: **1107/21** Date: **28 09 2021**

2. Sections: **NDPS Act** (iv) Others Acts & Sections: **Act**

3. (a) Date of Police Station Offence: Day: **28 09 2021** Time From: **18 15 h** Time To: **18 55 h**

(b) Information received at P.S. Date: **28 09 2021** Time: **19 45 h**

(c) General Diary Reference Entry No(s): **1539** Time: **19 45 h**

4. Type of Information: **Written / Oral**

5. Place of Occurrence: (a) Direction and Distance from P.S.: **1 km E North**

(b) Address: **Mahagara By Pass more PS Mahagara Dist. DJS**

(c) In case outside limit of this Police Station, then the Name of the P.S.: **N/A** District:

6. Complainant / Informant: **S.I. Porah Barman**

(a) Name:

(b) Father's / Husband's Name:

(c) Date / Year of Birth: (d) Nationality: **Indian**

(e) Passport No: Date of Issue: Place of Issue:

(f) Occupation: **Sub-Inspector of Police / Siliguri Police Commissionerate**

(g) Address: **Mahagara Police Station / Siliguri Police Commissionerate**

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary): **Accd. 1) Rajib Dutta (as) s/o Lt Rajesh Dutta of Dampara Promod Nagar PO- New Raigir PS Mahagara Dist - DJS**

8. Reasons for delay in reporting by the Complainant / Informant:

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary): **bag containing as (Twenty Line) one Multi Color Nylon**

10. Total value of properties stolen / involved: **100**

11. Inquest Report / U.D. Case No., if any:

12. FIR Contents (Attach separate sheets, if required): **the original written complain which is treated as FIR is re-produced on 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. Krishna Ch Mondal**

investigation / refused investigation / transferred to P.S.: **of Mahagara PS/SPC**

jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant/ Informant free of cost. **28/9/21**

14. Signature / Thumb impression of the Complainant / Informant: **NOTED in original complain**

Signature of the Officer-in-Charge, Police Station: **Ambar Bhattacharya** **28/9/21**

Name: **S.I. of Police** Officer-in-Charge

Rank: **Mahagara PS/SPC** Mahagara Police Station

15. Date & Time of despatch to the court: **29. 09 2021 at 11:00 h** Siliguri Police Commissionerate



Officer in Charge,
Matigara Police Station,
Siliguri Police Commissionerate

Sub: - F.I.R

In producing herewith one (01) arrested accused person namely Rajib Dutta (25), S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, 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, seized from the Exclusive and conscious possession of above noted Rajib Dutta 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, SI Paresh Barman, of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused person namely Rajib Dutta (25), S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, PS- Matigara, Dist- Darjeeling to the effect that on 28.09.2021 at about 16.15hrs I received a specific source input that one person, possessing huge quantity of 'Codeine Phosphate' based drugs, had been standing at Paulpara More under Matigara PS to sell the same to his designed customers. The matter was diarized in Matigara PS GDE No 1533 Dt. 28.09.2021 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, PSI Newton Biswas, Const- 986 Rajib Sarkar and CV-387 Sukumar Barman 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.1534, Dt.28.09.2021 and M.C.C No-493/2021 Date- 28.09.2021.

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 Paulpara More under Matigara PS I contacted two persons namely (1) Ananda Barai (22), S/O- Golok Barai of Shimultata, P.O+PS-Matigara, Dist- Darjeeling and (2) Jitendra Barman (33), S/O- Lt. Lalit Barman of Ranaganagar, 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 Paulpara More under PS- Matigara at 16.45hrs and subsequently, being pointed by my source detained 01 (one) person standing at Matigara Paulpara 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. Then 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 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 Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic(HQ), 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 18.05hrs Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic(HQ), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Paulpara 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 Rajib Dutta (25), S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, PS- Matigara, Dist- Darjeeling.

Contd.....

SI Paresh Barman

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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 multi-colour nylon bag carried by the detained person namely Rajib Dutta (25) S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, PS- Matigara, Dist- Darjeeling.

Further, on demand in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic(HQ), SPC detailed for acting as Special Executive Magistrate of SPC the detained person namely Rajib Dutta(25) failed to produce any valid documents/papers or explanation for possession of such a huge quantity of 'Codeine Phosphate' based drugs beyond the prescribed limit.

Thereafter, I seized the recovered 25 (twenty-five) bottles (containing total 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 was taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Rajib Dutta (25) at the spot at Paulpara. More under Matigara PS under proper seizure list in presence of independent witnesses and Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic(HQ), 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 Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic(HQ) SPC detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Rajib Dutta (25). The whole process of seizure was made in between 18.15 hrs to 18.55hrs.

Being further asked, the apprehend persons namely Rajib Dutta (25) admitted in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Traffic (HQ), 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 Rajib Dutta (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 Rajib Dutta (25), S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, 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 Rajib Dutta (25), S/O- Lt. Rajesh Dutta of Paulpara Promod Nagar, PO- New Rongia, 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,

(Signature) 28/9/21
(Sd/- Paresch Barman)
Matigara Police Station,
Siliguri Police Commissionerate.

*Received on 28.09.2021 at 19.45h
Wd- CDE NO 1539 Dt 28/09/2021
and started Matigara PS (Ct)
NO. 1107/21 Dt 28/09/2021 MS 21(C)
NDPS Act and referred to SI,
Krishna Ch Mondal for its investigation*

(Signature)

28/9/2021

Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate