

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

3418



1 P.S. Mahagara Year 2021 FIR No. 1115/2021 Date 01.10.2021
2 Act NDPS Act Sections 21(c) NDPS
Sections (iv) Others Acts & Sections Act

3 (a) Date of Offence: Day 01.10.2021 Date To 01.10.2021
Time Period Time From 14.35 hrs Time To 16.40 hrs

(b) Information received at P.S. Date 01.10.2021 Time 17.05 h

(c) General Diary Reference: Entry No(s) 344 Time 17.05 h

4 Type of Information: Written / Oral

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

(b) Address City Center under Mahagara PS/SPC

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

6 Complainant / Informant:

(a) Name S.I. Aaindam Banerjee

(b) Father's / Husband's Name Lt Swapan Kr. Banerjee

(c) Date / Year of Birth x (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): Aced. Biswajit Das @ Fak (25) S/O Nasen Das of Natubara Crossampur PO + PS - Bagdogra Dist - Dsh.

8. Reasons for delay in reporting by the Complainant / Information

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary):

22 (Twenty Two) bottles of "CEFREX" Cough Syrup (each bottle containing 100ml) having Batch NO. TBHVO232 MFG DI 2/2021

10. Total value of properties stolen / involved one (01) bottle of CEFREX Cough Syrup as a sample.

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 re-produced overleafs

13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and directed up the investigation / directed S.I. Basudeb Guha of Mahagara PS/SPC
investigation / refused investigation / transferred to P.S. Siliguri Police Commissionerate 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 Noted in original complaint

Signature of the Officer-in-Charge, Police Station
Name: A. Mahabon
Rank: No. SI of Police
Mahagara PS/SPC

15. Date & Time of despatch to the court: 02.10.2021 at 11.00h



The Officer-in-Charge,
Matigara Police Station,
Singuri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely Biswajit Das @ Fatik (25), S/O Naren Das of Natunpara, Gossainpur, P.O + P.S- Bagdogra, 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. TBHU0232, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was kept on his right hand- 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 Arindam Banerjee S/O Lt. Swapan Kr. Banerjee of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Biswajit Das @ Fatik (25), S/O Naren Das of Natunpara, Gossainpur, P.O + P.S- Bagdogra, Dist- Darjeeling to the effect that on 01.10.2021 at about 14:35 hrs I received a specific source input that one person possessing huge quantity of 'Codeine Phosphate' based drugs was standing near City Centre under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No. 35, Dt. 01.10.2021 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- 986 Rajib Sarkar all of Matigara PS, SPC along with investigation kit left for City Centre under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 37, Dt. 01.10.2021 and M.C.C No- 525/2021 Date- 01.10.2021.

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 City Centre under Matigara PS I contacted two persons namely (1) Bikash Sah (20) S/O Parshuram Sah of Tumbajote, Beldangi, P.O + P.S- Matigara, Dist- Darjeeling and (2) Parimal Sarkar (43) S/O Lt. Brajen Sarkar of Tumbajote, Beldangi, 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 City Centre under PS- Matigara at 15.15 hrs and subsequently, being pointed by my source detained 01(one) person standing near City Centre. He carried a multi-colour nylon bag under his possession. Thereafter, we disclosed our identity and the information in hand and stated them that he as well as the bag under his 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 Manish Kumar Yadav, 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 near City Centre under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 15.45 hrs Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at near City Centre under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained person following all formalities, keeping their decency and recovered the above noted article from the exclusive and conscious possession of the accused person namely Biswajit Das @ Fatik (25), S/O Naren Das of Natunpara, Gossainpur, P.O + P.S- Bagdogra, Dist- Darjeeling

It has been found from the bag under the possession of the above noted accused person namely Biswajit Das @ Fatik containing 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 Kg].

Contd..

Further, on demand in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained person namely Biswajit Das @ Fatik 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 2200 ml i.e., equivalent to 2.2 Kg] of "Cefrex" Cough Syrup [including 1 (one) bottle 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 Biswajit Das @ Fatik at the spot at near City Centre under Matigara PS under proper seizure list in presence of independent witnesses and Shri Manish Kumar Yadav, 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 Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Biswajit Das @ Fatik. The whole process of seizure was made in between 15.50 hrs to 16.40 hrs.

Being further asked, the apprehend persons namely Biswajit Das @ Fatik admitted in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate 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 local 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 Biswajit Das @ Fatik 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 Biswajit Das @ Fatik 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 namely Biswajit Das @ Fatik (25), S/O Naren Das of Natunpara, Gossainpur, P.O + P.S- Bagdogra, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Received on 01.10.2021 at 17.05hr.
vide COF NO 44 Dt 01.10.2021 and
started Matigara PS case no.
11157/2021 Dt 01.10.2021 u/s 21(c)
NDPS Act and endorsed to
S.I. Basudeb Gukh of Matigara
PS) SPC for its investigation.

Yours faithfully,
SI Arindam Banerjee
Matigara Police Station
Siliguri Police Commissionerate

01/10/2021
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate