

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



3431

1. P.S. Mahigara Year 2021 FIR No. 1128/21 Date 03.10.2021
2. Sections X (i) Act. NDPS Act Sections 21(b)(i)(A)
Sections (iv) Others Acts & Sections NDPS Act

3. (a) Date of Offence : Day 03.10.2021 Date From 03.10.2021 Date To 03.10.2021
Time Period Time From 13.15 Time To 13.45
(b) Information received at P.S. Date 03.10.2021 Time 14.10h
(c) General Diary Reference : Entry No(s) 150 Time 14.10h

4. Type of Information Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. 3 KM S/NORTH Beat No.
(b) Address Sarbagan of NBU Campus under Mahigara PS / DSU
(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District

6. Complainant / Informant :
(a) Name SI Newton Biswa
(b) Father's / Husband's Name Nirman Biswa
(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 Commissionerate
(g) Address Mahigara Police Station / SPE

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : Aed. Sekhar Bagchi (24) Lt Sisir Bagchi of Lelupa PO Kadamtala, ps Mahigara Dist - DSU

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary)
One transparent plastic packet containing 100 gram of Ganja which is kept under right pocket of his black color tunic

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 complain. 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 the case and directed S.I. Subir Chowdhury of Mahigara PS / SPE to take up investigation / refused investigation / transferred to P.S. jurisdiction. FIR read over to the Complainant/ Informant, admitted to be correctly recorded and a copy given to the Complainant / Informant free of cost. Siliguri Police Commissionerate

14. Signature / Thumb impression of the Complainant / Informant Noted in original Complain.
Signature of the Officer-in-Charge, Police Station
Name Airban Bhattacharya Date 03.10.2021
Rank : No. S.I. of Mahigara PS / SPE Officer In-Charge Mahigara Police Station Siliguri Police Commissionerate

15. Date & Time of despatch to the court : 04.10.2021 at 11.00L

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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely Sekhar Bagchi (34) S/O Lt. Sisir Bagchi of Lelinpur, P.O- Kadamtala, P.S- Matigara, Dist. - Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One transparent plastic packet containing 100 grams of 'Ganja' which was kept inside right pocket of his black colour trouser - and marked as "Exhibit- A".
- b) One transparent plastic packet containing 20 grams of 'Ganja' taken from "Exhibit- A" for examination and marked as "Exhibit A-1".

I, PSI Newton Biswas S/O Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Sekhar Bagchi (34) S/O Lt. Sisir Bagchi of Lelinpur, P.O- Kadamtala, P.S- Matigara, Dist.- Darjeeling to the effect that on 03.10.2021 at about 12.05 hrs I received a specific information from one Sajal Chakraborty, Officer-In-Charge (watch and ward dept.) of North Bengal University that one person possessing huge quantity of 'Ganja' was standing at Shalbagan, of NBU Campus under Matigara PS to sell the same to his designed local customers. The matter was diarized in Matigara PS GDE No.137, Dt. 03.10.2021 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 Shalbagan of NBU Campus under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No.138, Dt. 03.10.2021 and M.C.C No- 548/2021 Date- 03.10.2021.

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 Shalbagan of NBU Campus under Matigara PS I contacted two persons namely (1) Shiba Pada Ghosh (56) S/O Lt. Sudip Ch. Ghosh of Gossainpur, P.O+ P.S- Bagdogra, Dist- Darjeeling A/P Security guard of NBU Campus and (2) Dibakar Singh (58) S/O Mewalal Singha of Chandal Jote, P.O- Tarabandha, P.S- Bagdogra, Dist- Darjeeling A/P Security guard of NBU Campus 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 Shalbagan of NBU campus under PS- Matigara at 12.35 hrs and subsequently, being pointed by the informant, detained 01(one) person standing at Shalbagan of NBU Campus under Matigara P.S. Thereafter, we disclosed our identity and the information in hand and stated them that he 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 'Ganja' illegally and requested him to come Shalbagan of NBU campus under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 13.10 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 Shalbagan of N.BU 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 Sekhar Bagchi (34) S/O Lt. Sisir Bagchi of Lelinpur, P.O- Kadamtala, P.S- Matigara, Dist.- Darjeeling

It has been found from right pocket of his black colour trouser of the above noted accused person namely Sekhar Bagchi one transparent plastic packet containing 100 grams of 'Ganja'

Contd..

PSI Newton Biswas

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 Sekhar Bagchi failed to produce any valid documents/papers or explanation for possessing of such a quantity of Ganja beyond the prescribed limit.

Thereafter, I seized the recovered 100 grams of 'Ganja' [including 20 (twenty) grams of 'Ganja' which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Sekhar Bagchi at the spot at Shalbagan of NBU Campus 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 Sekhar Bagchi. The whole process of seizure was made in between 13.15 hrs to 13.45 hrs.

Being further asked, the apprehend persons namely Sekhar Bagchi 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 'Ganja' 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 'Ganja' 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 Sekhar Bagchi is involved in procuring and selling 'Ganja' drugs illegally contravening the norms of NDPS Act.


Then, I arrested the above noted accused person namely Sekhar Bagchi 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 Sekhar Bagchi (34) S/O Lt. Sisir Bagchi of Lelinpur, P.O.-Kadamtala, P.S.- Matigara, Dist.- Darjeeling and arrange for its investigation.


Enclosures:

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

Yours faithfully,


(PSI Newton Biswas) 03/10/24
Matigara Police Station
Siliguri Police Commissionerate

Received on 03/10/2024 at 14:10 h.
vide GDE NO 150 Dt 03/10/2024 and
started Matigara PS case no
1128/24 Dt 03/10/2024 u/s 21(b)(ii)(A)
NDPS Act and endorsed to SI
Subir Choudhury of Matigara
PS/SPE for its investigation.


03/10/2024
Officer In-Charge
Matigara Police Station
Siliguri Police Commissionerate

15/S.P.C