

Dist. SPC P.S. Matigara Year 2021 FIR No. 1144/2021 Date 07.10.2021

i) Act. N.D.P.S Sections 21(c) ii) Act. x Sections 1
(iii) Act. x Sections x (iv) Others Acts & Sections x

3. (a) Occurrence of Offence : Day Thursday Date From 07.10.2021 Date To
Time Period Time From 06.05 hrs Time To

(b) Information received at P.S. Date 07.10.2021 Time 07.45 hrs

(c) General Diary Reference : Entry No(s) 321 Time 07.45 hrs

4. Type of Information Written / Oral

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

(b) Address Kawalchali More, Ps. Matigara, Dist. Darjeeling.

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

6. Complainant / Informant :

(a) Name Amartha Chakraborty

(b) Father's / Husband's Name L. Manik Chakraborty

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

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

(f) Occupation Sub. Inspector of Police

(g) Address NBMC O.P. Matigara Police Station, Siliguri Police Commissionerate.

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) :

(i) Anujit Bhowmik (24), s/o. Anwini Bhowmik of Sarma nagar, Botola, Champa-
sen Anchal, Ps. Pradhannagar, Dist. Darjeeling. (ii) Sharukh Alam @ Mehetab
s/o. Lt. Abdul Rab Alam of Rajibnagar, Ps. Pradhannagar, Dist. Darjeeling.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : (i) 25 Bottles of "Cefrox" cough
syrup (each 100 ml.), (ii) 20 Bottles of "Cefrox" cough syr up, (iii) One TVS MOTORB
bearing Regd No. WB 74 BC-4914.

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 reproduced overleaf.

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 SI Sushanta Dhar to take up
investigation / refused investigation / transferred to P.S. on point of
jurisdiction. FIR read over to the Complain/ 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 on original complaint

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station

Name Anirban Bhattacharjee

Rank : No SI of Police, MTG PS/SPC



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

Sub: - F.I.R

Sir,

In producing herewith three (02) arrested accused persons namely (1) Avijit Biswas (M/24), S/O- Aswini Biswas of Samarnagar, Bot tola, P.O- Champasari Anchal P.S- Pradhannagar, Dist- Darjeeling, (2) Sharukh Alam @ Mehetab S/O- Lt Abdul Rab Alam of Rajibnagar, P.O- Pradhannagar, PS- Pradhan nagar, Dist- Darjeeling along with the following seized articles under seizure list;

- a) One bag containing 25 (twenty-five) bottles of Chlorpheniramine Maleate & Codeine Phosphate syrup "Cefrex" cough Syrup (each bottle containing 100 ml) having Batch No. TBHU022, Mfg. Date: 02/2021. Exp. Date: 01/2023 - seized from the exclusive and conscious possession of above noted Avijit Biswas and marked as "Exhibit- A".
- b) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate syrup "Cefrex" Cough Syrup (each bottle containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- c) One bag containing 20 (twenty) bottles of Chlorpheniramine Maleate & Codeine Phosphate syrup "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 Sharukh Alam @ Mehetab and marked as "Exhibit- B".
- d) One (01) bottles of Chlorpheniramine Maleate & Codeine Phosphate syrup "Cefrex" Cough Syrup (each bottle containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".
- e) One Metallic Grey colour TVS NTORQ Scooter bearing registration number WB 74 BC-4914 seized from the conscious and joint possession of above noted Avijit Biswas, Sharukh Alam @ Mehetab.

I, SI Amartya Chakraborty, S/O- Lt. Manik Chakraborty presently posted as Officer in-Charge of NBMC Out Post (under Matigara Police Station)/ Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely Avijit Biswas and Sharukh Alam @ Mehetab to the effect that on 07.10.2021 at about 06.05 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs (Cough Syrup) were coming on a TVS NTORQ Scooty near Kawakhali more (under Matigara PS) for clandestine disposal of the said drugs to their designed customers in Siliguri area. The matter was diarized in NBMC OP (under Matigara PS) GDE No. 186 Dt- 07.10.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with PSI Rantu Halder, ASI Anupam Roy, Const- 1082 Rahul Barman, CV/638 Partha Biswas all of NBMC OP Under Matigara PS, SPC along with investigation kit left for Kawakhali More under Matigara PS by govt. vehicle to verify the veracity of the information. This refers to NBMC OP GDE No. 188 Dt- 07.10.2021 and M.C.C No- 1873/21 Date- 07.10.2021.

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.

Received on 07.10.2021 at 07:45 hrs vide
MTA PS GDE No. 321 Dt- 07.10.2021 and
started MTA PS Case No - 1144/2021 dt.
07.10.2021, U/S- 21(c) of CrP Act and
endorsed to SI Subhante Dhar for
its investigation.

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Officer in-Charge
Matigara Police Station
Siliguri Police Commissionerate

S.I. Amartya Chakraborty
07.10.21



On reaching at Kawakhali More at 06:20 hrs, I contacted two persons namely O- Jamini Singha of Pelkujote PO- Rangapani PS- Matigara Dist Darjeeling and Bhubaneswar Sahni S/O- Joginder Sahani of Kawakhali PO- Sussrutanagar PS- Matigara Dist Darjeeling and requested them to witness, if any search and seizure would be made necessary upon which they agreed. They we along with the independent witnesses noted above started ambush and waiting for a Scooter to come. At 06:30 hrs as indicated by source we were able to detain two persons on a scooter near Kawakhali More who were coming from Medical more side and towards Siliguri via Asian Highway 2 and trying to flee away seeing the police team. Above Avijit Biswas was found riding the above noted scooty and above noted Sharukh Mehetab was found as pillion rider and both of them were possessing bag on their back and their conscious possession. Thereafter, we disclosed our identity and the information and stated them that they as well as bags under their possession will be searched purpose on ground of suspicion and I gave them option in writing to be searched in presence of any one of the above. I also offered the independent witnesses and the an Executive Magistrate or by any Gazetted Officer upon which they agreed to be searched persons to search our Police Party as per provisions but, they did not search the police. Consequently, I informed the matter to O/C Matigara PS and as per his kind order, I informed Shri Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/Siliguri Commissionerate who was designated for acting as a Special Executive Magistrate of SPC day (07.10.21) regarding the interception of the accused persons suspected to be possessing 'Codeine Phosphate' based drugs illegally and requested him to come at Kawakhali more Matigara PS and to remain present and to supervise the whole search and seizure process.

Accordingly at 06.40 hrs. Shri Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Kawakhali More under Matigara PS to act as Executive Magistrate, SPC and in presence of two independent witnesses I searched the accused persons following all formalities, keeping their decency and recovered the above noted drugs from their exclusive and conscious possession of the accused persons namely Avijit Sharukh Alam @ Mehetab.

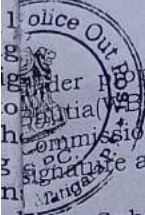
It has been found during search that the bag in conscious possession of person M Avijit Biswas contains 25 (twenty-five) bottles of "Cefrex" Cough syrup (which is marked as Exhibit-A) and the bag found from conscious possession of Saharukh Alam @ Mehetab (which is marked as Exhibit-B) contains 20 (twenty) bottles of Cefrex Cough syrup in which each bottle contains 100 ml and Totalling 45 (forty five) bottles containing 45 X 100 ml = 4500 ml i.e., equivalent to 4.5 Kg] of "Cefrex" Cough Syrup.

Further, on demand in presence of Shri Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/Siliguri Police Commissionerate designated for acting as Special Executive Magistrate of SPC the detained persons namely Avijit Biswas and Sharukh Alam @ Mehetab 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 bag in conscious possession of person namely Avijit Biswas contains 25 (twenty-five) bottles of "Cefrex" Cough syrup (which is marked as Exhibit -A) and one bottle as test sample from the seizure which is marked as Exhibit -A-1 and the bag from conscious possession of Saharukh Alam @ Mehetab (which is marked as Exhibit-B) contains 20 (twenty) bottles of Cefrex Cough syrup out of which I taken one Bottle as test sample marked as Exhibit -B-1 and also seized one TVS NTORQ Scooty bearing registration number 74 BC 4914 from the exclusive, conscious and joint possession of above noted accused persons namely Avijit Biswas, Sharukh Alam @ Mehetab at the spot at Kawakhali More

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S. P. Chatterjee



... seizure list in presence of independent witnesses and to Shri Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/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 Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Avijit Biswas and Sharukh Alam @ Mehetab. The whole process of seizure was made in between 06.50 hrs to 07.30 hrs.

Being further asked, the apprehend persons namely Avijit Biswas and Sharukh Alam @ Mehetab admitted in presence of Shri Passang Topgay Bhutia (WBPS), Assistant Commissioner of Police Traffic (West)/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 their designed customer for their 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 their wrongful gain.

From the above noted facts and seizure of contraband articles it is quite evident that the accused persons namely Avijit Biswas and Sharukh Alam @ Mehetab are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

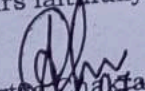
Thereafter, I arrested the above noted accused persons namely Avijit Biswas and Sharukh Alam @ Mehetab after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

Under the above fact and circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely (1) Avijit Biswas (M/24), S/O- Aswini Biswas of Samarnagar, Bot tola, P.O- Champasari Anchal P.S- Pradhannagar, Dist- Darjeeling, (2) Sharukh Alam @ Mehetab S/O- Lt Abdul Rab Alam of Rajibnagar, P.O- Pradhannagar, PS- Pradhan nagar, Dist- Darjeeling (not verified) and kindly co-arrange for its investigation.

Enclosure:

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

Yours faithfully,


(SI Amartya Chatterjee)
O/C NBMC OP
(Under Matigara Police Station)
Siliguri Police Commissionerate
Officer In-Charge
N.B.M.C. & Hospital Police Out Post
PS. Matigara, SPC