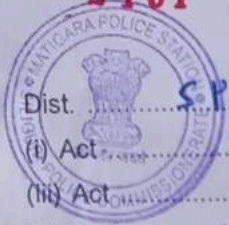


2461

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



Dist. Spc P.S. Mahgara Year 2021 FIR No. 1258/21 Date 02.11.2021
 (i) Act X Sections X (ii) Act N.D.P.S Act Sections 21(c) NDPS Act
 (iii) Act Sections (iv) Others Acts & Sections
 (a) Occurrence of Offence : Day Tuesday Date From 2.11.2021 Date To
 Time Period Time From 16.45 h Time To 17.30 hr.
 (b) Information received at P.S. Date 2/11/2021 Time 18.15 hrs
 (c) General Diary Reference : Entry No.(s) 86 Time 18.15 hr.
 Type of Information : Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. Beat No.
 (b) Address Mahgara Biswas Colony PS more ps Mahgara Dist. Djh
 (c) In case outside limit of this Police Station, then the Name of the P.S. N/A District

Complainant / Informant : PSI Abhishek Theengh
 (a) Name
 (b) Father's / Husband's Name
 (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 Mahgara PS / Siliguri Police Commissionerate

Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary) : Accd. 1) Md. Alam (us) @ Dilip S/O Lt Md. Indrish 2) Md. Abu @ Karim (19) S/O Md. Alam both are Biswas Colony Rail Gate post PS Mahgara Dist. Djh

Reasons for delay in reporting by the Complainant / Information

Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One Red colour P.H.N bag styled as adidas containing 30 (thirty) bottles of "Lykarex" cough syrup (each bottle containing 100ml) 1) One grey black colour pillu bag styled as adidas containing 24 (Twenty four) "Lykarex" and cash Rs 19780/-
 Total value of properties stolen / involved
 Inquest Report / U.D. Case No. if any

FIR Contents (Attach separate sheets, if required) : The original written complaint which is treated as FIR is re-produced overleaf

Action taken : Since the above report reveals commissions of offence(s) as mentioned at item No. 2, registered the case and took up to the investigation / directed S.I. Md. Sahaulha to take up investigation / refused investigation / transferred to P.S. of Mahgara PS/Spc 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.

Signature / Thumb impression of the Complainant / Informant
Noted in original complaint
 Date & Time of despatch to the court : 03.11.2021 at 11.00 h

Signature of the Officer-in-Charge, Police Station
Ambar Bhattacharya
 Name : S.I. of Police Commissionerate
 Rank : Sub-Inspector

In-Charge,
Police Station,
Police Commissionerate.

Sub: - F.I.R

In producing herewith two (02) arrested accused persons namely 1.Md. Alam (48) @ Dilip, S/O-Lt. Md. Idrish, and 2. Md. Abu Kalam (19), S/O- Md. Alam (48) @ Dilip both of Biswas Colony Rail Gate, PO+PS- Matigar, Dist.- Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One Red colour Pittu bag styled as 'adidas' containing 30 (thirty) bottles of "Lykarex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0272, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was - seized from exclusive and conscious possession of above noted Md. Alam (48) @ Dilip and marked as "Exhibit- A".
 - b) One (01) bottle of "Lykarex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
 - c) One Grey-black colour Pittu bag styled as 'adidas' containing 24 (twenty-four) bottles of "Lykarex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0272, Mfg. Date: 02/2021. Exp. Date: 01/2023 which was - seized from exclusive and conscious possession of above noted Md Abu Kalam and marked as "Exhibit- B".
 - d) One (01) bottle of "Lykarex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".
 - e) Cash Rs.19780/- (Nineteen Thousand Seven Hundred and Eighty rupees only) in Indian Currency note in following denomination:-
 - i)Rs. 100X106=10600/-
 - ii)Rs. 200X37=7400/-
 - iii)Rs.50X27=1350/-
 - iv)Rs.20X6=120/-
 - v) Rs. 10X31=310/-
- Total Rs.19780/- (Nineteen Thousand Seven Hundred and Eighty rupees only)

I, PSI Abhishek Theengh, S/O- Suchandra Kumar Theengh of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely 1.Md. Alam (48) @ Dilip, S/O-Lt. Md. Idrish, and 2. Md. Abu Kalam (19), S/O- Md. Alam (48) @ Dilip both of Biswas Colony Rail Gate, PO+PS- Matigar, Dist.- Darjeeling to the effect that on 02.11.2021 at about 14:35 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs were standing at Matigara Biswas Colony More under Matigara PS to sell the same to their designed customers. The matter was diarized in Matigara PS GDE No. 81, Dt. 02.11.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with SI Rash Bihari Saha, ASI Binod Jha, C/166 Gopal Saha all of SOG team, SPC and PSI Newton Biswas, C/1035 Santosh Robidas all of Matigara PS, SPC along with investigation kit left for Matigara Biswas Colony More under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 82, Dt. 02.11.2021 and M.C.C No- 637/2021 Date- 02.11.2021.

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 Biswas Colony More under Matigara PS I contacted two persons namely (1)Reeju Khan(39), S/O-Lt. Riyaj Khan and (2) Parimal Sarkar(40), S/O-Lt. Brojen Sakar both 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 Matigara Biswas Colony More under PS- Matigara at 15.25 hrs and subsequently, being pointed by my source, detained 02(two) persons standing at Matigara Biswas Colony More under Matigara P.S and each of them carrying pittu bag under their exclusive and conscious possession. Thereafter, we disclosed our identity and the information in hand stated them that they as well as the bag under their possession will be searched for the purpose. And, I also 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 Santanu Tarafder, Assistant Commissioner of Police(AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused persons suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at Matigara Biswas Colony More under Matigara PS to remain present and to supervise the search and seizure.

Contd..

PSI Abhishek Theengh

Accordingly at 16.35 hrs Shri Santanu Tarafder, Assistant Commissioner of Police (AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Matigara Biswas Colony More under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam and following all formalities, keeping their decency and recovered the above noted articles from the exclusive and conscious possession of the accused persons namely 1. Md. Alam (48) @ Dilip, S/O-Lt. Md. Idrish, and 2. Md. Abu Kalam (19), S/O- Md. Alam (48) @ Dilip both of Biswas Colony Rail Gate, PO+PS- Matigara, Dist- Darjeeling.

It has been found from the bag under the exclusive and conscious possession of the above noted accused person namely Md. Alam (48) @ Dilip containing 30 (thirty) bottles of "Lykarex" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHU 0272, Mfg. Date: 02/2021. Exp. Date: 01/2023 containing total 30 X 100 ml = 3000 ml i.e., equivalent to 3.0 Kg].

It has been found from the bag under the exclusive and conscious possession of the above noted accused person namely Md. Abu Kalam (19) containing 24 (twenty-four) bottles of "Lykarex" Cough Syrup (each bottle containing 100 ml) containing total 24 X 100 ml = 2400 ml i.e., equivalent to 2.4 Kg].

Further, on demand in presence of Shri Santanu Tarafder, Assistant Commissioner of Police (AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam failed to produce any valid documents/papers or explanation for possessing of such huge quantity of 'Codeine Phosphate' based drugs beyond the prescribed limit.

Thereafter, I seized the recovered 30 (thirty) bottles [containing 3000 ml i.e., equivalent to 3.0 Kg] of "Lykarex" Cough Syrup [including 1 (one) bottle of "Lykarex" 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 persons namely Md. Alam (48) @ Dilip at the spot at Matigara Biswas Colony More and seized the recovered 24 (twenty-four) bottles [containing 2800 ml i.e., equivalent to 2.8Kg] of "Lykarex" Cough Syrup [including 1 (one) bottle of "Lykarex" 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 persons namely Md. Abu Kalam at the spot at Matigara Biswas Colony More under PS- Matigara, Dist- Darjeeling under proper seizure list in presence of independent witnesses and Shri Santanu Tarafder, Assistant Commissioner of Police (AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtained their signature and being acknowledged by the accused persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam.

Subsequently, I labelled and sealed the seized articles at the spot at Matigara Biswas Colony More under PS- Matigara, Dist- Darjeeling in presence of Shri Santanu Tarafder, Assistant Commissioner of Police (AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam. The whole process of seizure was made in between 16.45hrs to 17.35hrs.

Being further interrogated, the apprehend persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam admitted in presence of Shri Santanu Tarafder, Assistant Commissioner of Police (AP), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and independent witnesses that they have procured the 'Codeine Phosphate' based drugs clandestinely for the purpose of selling the same at a 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 incriminating articles it is quite evident that the accused persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Md. Alam (48) @ Dilip & Md. Abu Kalam after observing all formalities and informing the ground of their 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 persons namely 1. Md. Alam (48) @ Dilip, S/O-Lt. Md. Idrish, and 2. Md. Abu Kalam (19), S/O- Md. Alam (48) @ Dilip both of Biswas Colony Rail Gate, PO+PS- Matigara, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Yours faithfully
Abhishek Theergh
 (PSI Abhishek Theergh)
 Matigara Police Station
 Siliguri Police Commissionerate

*Received on 02.11.2021 at 18.15 hrs Under CDE
 No. 86 Dt 2/11/2021 and started Matigara
 P.S. case no 1258/21 Dt 02.11.2021 u/s
 21(c) NDPS Act and endorsed to SI Md
 Sahaulha for his Matigara*

Officer In-charge
 Matigara Police Station
 Siliguri Police Commissionerate

02/11/2021