

2489

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



Dist. SPE

(i) Act X

(iii) Act

P.S. Mahgarh

Year 2021

FIR No. 12861/21

Date 12.11.2021

Sections

(ii) Act NDPS Act

Sections

21 (a) NDPS

Sections

(iv) Others Acts & Sections

Act

(a) Occurrence of Offence : Day

Date From 12.11.2021

Date To

Time Period

Time From 06:15

Time To

07:35

(b) Information received at P.S. Date

12.11.2021

Time

08:45 hrs

(c) General Diary Reference : Entry No.(s)

534

Time

08:45 hr.

Type of Information :

Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S.

1 KM North / East

Beat No.

(b) Address

Mahgarh By pass MOLE PS Mahgarh Dist - Darjeeling

(c) In case outside limit of this Police Station, then the

Name of the P.S.

N/A

District

Complainant / Informant :

(a) Name

SI Shekhar Adhikary

(b) Father's / Husband's Name

LT Sonatan Adhikary

(c) Date / Year of Birth :

31/7/11

(d) Nationality

Indian

(e) Passport No.

Date of Issue :

Place of Issue

(f) Occupation

Sub Inspector of Police / Siliguri Police Commissionerate

(g) Address

Mahgarh Police Station / SPE

Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) :

1) Aed Md Basiruddin (40) s/o Md Nurul Islam and 2) MUMU (Washakar @ Mumu (35) W/O Md Basiruddin both of Biswar colony PS Mahgarh Dist. DL

Reasons for delay in reporting by the Complainant / Information

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

(Separate sheet of seizure list enclosed herewith)

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

SI Basu Deb Guha

to take up

investigation / refused investigation / transferred to P.S.

of Mahgarh PS / SPE

Police Station

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

SI Shekhar Adhikary
Signature / Thumb impression of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Name :

Ambarish Chatterjee

Rank :

SI of Police

No. :

Mahgarh DS / SPE

Date & Time of despatch to the court :

12.11.2021 at 11:45 hr



In-Charge,
Police Station,
Police Commissionerate.

Sub: - F.I.R

Producing herewith two (02) arrested accused persons namely (i) Md. Basiruddin (40), S/O- Lt. Md. Basiruddin and (2) Munni Swarnakar @ Muni (38), W/O- Md. Basiruddin both of Biswas Colony, PS- Matigara, Dist- Darjeeling along with following articles under proper seizure;

- [1] One black colour Pittu bag styled as 'adldas' 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. Basiruddin and marked as "Exhibit- A".
- [2] One (01) bottle of "Lykarex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".
- [3] Cash Rs 30,000/- [Rupees thirty thousand only] Indian Currency Note in the following denomination; Rs. 500 X = 60 = 30,000/- [Rupees Thirty thousand only] [kept inside the right pocket of trousers of above noted Md. Basiruddin and marked as "Exhibit- B".
- [4] One Multi colour hand bag containing 25 (twenty five) 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 Munni Swarnakar @ Muni and marked as "Exhibit- C".
- [5] One (01) bottle of "Lykarex" Cough Syrup (containing 100 ml) randomly taken from "Exhibit- C" for examination and marked as "Exhibit C-1".

I, SI Shekhar Adhikary (31), S/O- Lt. Sonatan Adhikary of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely Md. Basiruddin and Munni Swarnakar @ Muni to the effect that on 12.11.2021 at 05:30 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs were standing at Bypass More under Matigara PS to sell the same to their designed customers. The matter was diarized in Matigara PS GDE No. 520, Dt. 12.11.2021 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, Const- 1035 Santosh Rabidas, C/968 Rajib Sarkar and L/C- 1286 Anisha Chhetri all of Matigara PS, SPC along with investigation kit left for Bypass More under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 521, Dt. 12.11.2021 and M.C.C No- 650/2021 Date- 12.11.2021.

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 Bypass More under Matigara PS I contacted two persons namely (1) Loknath Das (42), S/O-Lt. Sunil Das of Matigara Paulpara, PO+PS- Matigara, Dist- Darjeeling and (2) Reeru Khan (39), S/O- Riaz Khan of Tumbajote, PO+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 Bypass More under PS- Matigara at 06.00 hrs and subsequently, being pointed by my source, detained two persons standing at Bypass More and they were carrying one bag each under their exclusive and conscious possession. The above noted Md. Basiruddin was carrying one black colour Pittu bag styled as 'adldas' and Munni Swarnakar @ Muni was carrying one Multi colour nylon bag. Thereafter, we disclosed our identity and the information in hand, stated them that they as well as the bags 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 Manabendu Sekhar Rakshit, 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 at Bypass More under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 06.45 hrs Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Bypass More under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained person namely Md. Basiruddin and Munni Swarnakar @ Muni the later being searched with the help of my accompanied lady officer, following all formalities, keeping their decency and recovered the above noted articles from the exclusive and conscious possession of the accused persons namely Md. Basiruddin and Munni Swarnakar @ Muni.

contd....

SI Shekhar Adhikary
12/11/2021

It has been found from the bag under the exclusive and conscious possession of the above noted accused persons namely Md. Basiruddin containing 30 (thirty) bottles of "Lykarex" cough syrup (each bottle containing 100 ml) containing 30 X 100 ml = 3000 ml i.e., equivalent to 3.0 Kg] and, from the bag under the exclusive and conscious possession of the above noted accused person namely Munni Swarnakar @ Muni containing 25 (twenty five) bottles of "Lykarex" cough syrup (each bottle containing 100 ml) containing 25 X 100 ml = 2500 ml i.e., equivalent to 2.5 Kg].

Further, on demand in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Md. Basiruddin and Munni Swarnakar 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 above noted articles from the exclusive and conscious possession of above noted accused persons namely Md. Basiruddin and Munni Swarnakar @ Muni at the spot at Bypass More under PS-Matigara, Dist- Darjeeling under proper seizure list in presence of independent witnesses and Shri Manabendu Sekhar Rakshit, 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 namely Md. Basiruddin and Munni Swarnakar @ Muni.

Subsequently, I labelled and sealed the seized articles in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Md. Basiruddin and Munni Swarnakar @ Muni. The whole process of seizure was made in between 06.55 hrs to 07.35 hrs.

Being further interrogated, the apprehend persons namely Md. Basiruddin and Munni Swarnakar @ Muni admitted in presence of Shri Manabendu Sekhar Rakshit, Assistant Commissioner of Police, 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 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 incriminating articles it is quite evident that the accused persons namely Md. Basiruddin and Munni Swarnakar @ Muni 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. Basiruddin and Munni Swarnakar @ Muni the later being arrested with the help of my accompanied lady officer after observing all formalities and keeping her decency after 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 (i) Md. Basiruddin (40), S/O- Lt. Md. Nurul Islam and (2) Munni Swarnakar @ Muni (38), W/O- Md. Basiruddin both of Biswas Colony, 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.

Received on 12/11/2021 at 08:45h
vide GOR NO 534 Dt 12/11/2021 and
started Matigara PS-Cas NO 1286/21
Dt 12/11/2021 W/S 21 (C) NDPS Act
and endorsed to S.I. Basudeb
Gunter for its investigation.

Yours faithfully,
SI Shekhar Adhikari
(SI Shekhar Adhikari) 12/11/2021
Matigara Police Station
Siliguri Police Commissionerate


12/11/2021
Officer In-charge
Matigara Police Station
Siliguri Police Commissionerate