

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



Dist. Siliguri P.S. Mahgore Year 2021 FIR No. 135/21 Date 23/11/2021

(i) Act N.D.P.S. Ad Sections 29 (C) N.D.P.S. Act (ii) Act N.D.P.S. Act Sections X

(iii) Act N.D.P.S. Act Sections N.D.P.S. Act (iv) Others Acts & Sections X

(a) Occurrence of Offence : Day Saturday Date From 27.11.2021 Date To 27.11.2021

Time Period 16:25 Time From 16:25 Time To 17:15

(b) Information received at P.S. Date 27.11.2021 Time 17:45 hr.

(c) General Diary Reference : Entry No.(s) 1340 Time 17:45 hr.

Type of Information : Written / Oral

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

(b) Address Mahgore By Pass more under Mahgore.
P.S. Dist. Darjeeling

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

Name of the P.S. N/A District Darjeeling

Complainant / Informant :

(a) Name SI Shekhar Adhikary

(b) Father's / Husband's Name LI Sonolou Adhikary

(c) Date / Year of Birth : N/A (d) Nationality Indian

(e) Passport No. N/A Date of Issue : N/A Place of Issue N/A

(f) Occupation Sub Inspector of Police / Siliguri Police (Commissioner's Office)

(g) Address Mahgore Police Station / Siliguri Police (Commissioner's Office)

Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) : Aced. Md Mohim (39) S/O LI Rajjak

Atom of Mahgore Bishal Colony, PO + PS Mahgore

Dist. Darjeeling

Reasons for delay in reporting by the Complainant / Information

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

bag containing 22 (Twenty two) (one) with Nylon

strip (each bottle containing 100 MG) Levery Batch No TBHR1089

with dt 11/2018 Exp dt 10/2020 1 (one) bottle

Total value of properties stolen / involved of cough syrup (containing 100 mg) of 64000 (Sixty Four thousand Rupees only)

Inquest Report / U.D. Case No. if any PS 64000 (Sixty Four thousand Rupees only)

FIR Contents (Attach separate sheets, if required) : The Original written Complaint

which is treated as FIR it is re-produce over leaf

Action taken : Since the above report reveals commissions of offence(s) as mentained at item No. 2, registered

the case and took up to the investigation / directed SI Sushanta Dhar to take up

investigation / refused investigation / transferred to P.S. of Mahgore Office in charge

jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the

Complainant / Informant free of cost. Siliguri Police Commissionerate

Signature / Thumb impression of the Complainant / Informant Noted in original Complaint.

Signature of the Officer-in-Charge, Police Station Siliguri Police Commissionerate

23/11/2021



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

Sub. - F.I.R.

In producing herewith one (01) arrested accused person namely Md. Mohim (39) S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS, Matigara, Dist- Darjeeling along with the following articles under proper seizure as per seizure list:-

- One multi-colour nylon bag containing 22 (twenty-two) bottles of "KEMREX" Cough Syrup (each bottle containing 100 ml) having Batch No. TBHR1089, Mfg. Date: 11/2018, Exp. Date: 10/2020, seized from the Exclusive and conscious possession of above noted Md. Mohim and marked as "Exhibit-A".
- One (01) bottle of "KEMREX" Cough Syrup (containing 100 ml) randomly taken from "Exhibit-A" as sample for examination and marked as "Exhibit A-1".
- Cash Rs.64000/ (sixty-four thousand) only in Indian currency note in the following denomination:
Rs.500X80=40000/
Rs.200X75=15000/
Rs.100X90=9000/

Total Rs.64000/ (sixty-four thousand) only found inside the right side pocket of trousers of above noted Md. Mohim and marked as "Exhibit-B"

I, SI Shekhar Adhikary, S/O-Lt. Sonatan Adhikary of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person, namely Md. Mohim (39), S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS, Matigara, Dist- Darjeeling to the effect that on 27.11.2021 at about 14.35hrs I received a specific source input that one person, possessing huge quantity of 'Codeine Phosphate' based drugs, had been standing at By-pass More under Matigara PS to sell the same to his designed customers. The matter was diarized in Matigara PS GDE No.1331Dt. 27.11.2021 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written and being directed, myself along with ASI Sanjoy Basunia, Const-986 Rajib, Sarkar and CV-387 Sukumar Barman all of Matigara PS, SPC along with investigation kit left for Matigara By-Pass More under Matigara PS by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No.1332, Dt. 27.11.2021 and M.C.C No-1216/2021-Date- 27.11.2021.

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 Paulpara More under Matigara PS I contacted two persons namely (1) Rceju Khan (39), S/O- Lt. Riyaj Khan and (2) Parimal Sarkar (43), S/O- Lt. Brojen Sarkar of Beldangi, Tumbajote, 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 By-pass More under Matigara PS at 15.05hrs and subsequently, being pointed by my source detained 01 (one) person standing at By-pass More. He had carried one multi-colour nylon bag in his right hand. Thereafter, we disclosed our identity and the information in hand and stated him that he as well as the bag under his possession will be searched for the purpose. Then I gave him option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the accused person 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, (West), 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 Matigara By Pass More under Matigara PS to remain present and to supervise the search and seizure.

Accordingly at 16.15hrs Shri Manish Kumar Yadav, Assistant Commissioner of Police, (West), Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at By-pass More under Matigara PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained person following all formalities, keeping his decency and recovered the above noted article from the exclusive and conscious possession of the accused person namely Md. Mohim (39), S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS- Matigara, Dist- Darjeeling.

Contd.....

SI Shekhar Adhikary
Dt. 27.11.2021

On being searched of the said detained person found 22 (twenty-two) bottles of "KEMREX" cough syrup (each bottle containing 100 ml) containing 22 X 100 ml = 2200 ml i.e., equivalent to 2.2 Kgs. which was kept into a multi-colour nylon bag carried by the detained person namely Md. Mohim (39), S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS- Matigara, Dist- Darjeeling and also found Total Rs.64000/ (sixty-four thousand) only found from right side pocket of trousers of Md. Mohim.

Further, on demand in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, (West), SPC detailed for acting as Special Executive Magistrate of SPC the detained person namely Md. Mohim(39) 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 total 2200 ml i.e., equivalent to 2.2 Kg] of "KEMREX" Cough Syrup [including 1 (one) bottles of "KEMREX" Cough Syrup (containing 100 ml) which was taken randomly from the mother packet for examination] and Total Rs.64000/ (sixty-four thousand) only from the exclusive and conscious possession of above noted accused person namely Md. Mohim (39) at the spot at By-pass More under Matigara PS under proper seizure list in presence of independent witnesses and Shri Manish Kumar Yadav, Assistant Commissioner of Police, (West), SPC detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused person.

Subsequently, I labelled and sealed the seized articles in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, (West) SPC detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Md. Mohim (39). The whole process of seizure was made in between 16.25 hrs to 17.15hrs.

Being further asked, the apprehend persons namely Md. Mohim (39) admitted in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, (West), SPC 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 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 Md. Mohim (39) 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 Md. Mohim (39), S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS- Matigara, Dist- Darjeeling 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 Md. Mohim (39), S/O- Lt. Rajjak Alam of Matigara Biswas Colony, PO+PS- Matigara, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Received on 27/11/2021 at 12:45h
vide GDN No 1340 dt 27/11/2021 and
started Matigara PS (Case No 1301) dt
dt 27/11/2021 WS 21 (S) NDPS Act.
and returned to SI Sushanta Dhan
for its investigation.

Yours faithfully,
(Signature)
(SI Shekhar Achikary)
Matigara Police Station,
Siliguri Police Commissionerate.

(Signature)
27/11/2021
Officer In-charge
Matigara Police Station
Siliguri Police Commissionerate

Date & Time of despatch to the court:

28/11/2021 at 11:00h

Rank :

SI of Police
No. :
Matigara PS 1588