

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



312

P.S. Matigara Year 2021 FIR No. 1355/21 Date 27.11.2021
 Sections X (ii) Act N.D.P.S Act Sections 20(b)(ii)(c)
 Sections (iii) Act _____ (iv) Others Acts & Sections _____

(a) Occurrence of Offence : Day Saturday Date From 27.11.2021 Date To _____
 Time Period _____ Time From 16:25 Time To 20:15 hr.

(b) Information received at P.S. Date 27.11.2021 Time 21:35

(c) General Diary Reference : Entry No.(s) 1346 Time 21:35

Type of Information : _____
 Written / Oral Written

Place of Occurrence : (a) Direction and Distance from P.S. 1 KM north of 2000. Beat No. _____

(b) Address Paribhan Nagar under Matigara P.S. 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 S.I. Nandan Biswas

(b) Father's / Husband's Name Nizam Biswas

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

(e) Passport No. X Date of Issue : _____ Place of Issue X

(f) Occupation Sub. Inspector of Police / Siliguri Police Commissioner

(g) Address Matigara Police Station / Siliguri Police Commissioner

Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) : Accd 1) Shohor Ali (S) S/O L. Malab

2) M. Kishor M. Orubast PS. Kalgeekra Dist. Bardhaman

(Assam) and 3) M. Orubast Hassan (S) S/O Golap

Hassan of Baraiger PS. Abhayapur Dist. Bongaigaon

Reasons for delay in reporting by the Complainant / Informant (Assam)

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

Attached separate sheet of

original frozen list

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 over leaf

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. Basudeb Guha Officer In-charge

investigation / refused investigation / transferred to P.S. of Matigara P.S. Siliguri Matigara 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.

Signature / Thumb impression of the Complainant / Informant _____

Signature of the Officer-in-Charge, Police Station _____

Officer In-charge Matigara Police Station _____

The officer In-Charge,
Matigara Police Station,
Siliguri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith two (02) arrested accused persons namely (i) Shohor Ali (25) S/O Lt. Motaleb Ali of Kismat Moinbari, P.S- Kalgachia, Dist.- Barpeta (Assam) and (ii) Mohibul Hussain (35) S/O Golap Hussain of Baraigar, P.S- Abhayapur, Dist- Bongaigaon (Assam) (not verified) along with the following articles under seizure as per seizure list:

- i) One packet containing 20.7 Kg of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape and marked as 'Exhibit-A',
- ii) 50 grams of ganja extracted from exhibit 'A' as sample for examination and marked as 'exhibit A-1'
- iii) One packet containing 21.5 Kg of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape and marked as 'Exhibit-B',
- iv) 50 grams of ganja extracted from exhibit 'B' as sample for examination and marked as 'exhibit B-1'
- v) One packet containing 20.6 Kg of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape and marked as 'Exhibit-C',
- vi) 50 grams of ganja extracted from exhibit 'C' as sample for examination and marked as 'exhibit C-1'
- vii) One packet containing 20.7 Kg of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape being and marked as 'Exhibit-D',
- viii) 50 grams of ganja extracted from exhibit 'D' as sample for examination and marked as 'exhibit D-1'
- ix) One packet containing 20.2 Kg of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape and marked as 'Exhibit-E',
- x) 50 grams of ganja extracted from exhibit 'E' as sample for examination and marked as 'exhibit E-1'
- xi) Total 620 packets of bamboo wood Flooring and marked as 'Exhibit F'
- xii) One certificate of Registration r/o Vehicle no. AS-01-LC-337 having Engine No. 91C84866384, CH No. MAT466621K5C05562 in the name of Md. Akbar Ali.
- xiii) One Driving License in the name of Shohor Ali.
- xiv) One truck having Reg. No. AS-01-LC-3317, Engine No. 91C84866384, CH No. MAT466621K5C05562 in the name of Md. Akbar Ali.

I, SI Newton Biswas, S/O-Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against above noted persons to the effect that on 27/11/2021 at about 14:50 hrs I received a specific source input that one truck having Registration No. AS-01-LC-3317 was parking at Paribahan Nagar under PS Matigara loaded with bamboo made articles and concealed huge quantity of Ganja which will be clandestinely disposed to various parts of India for illegal wrongfull gain. The matter was diarized in Matigara PS GDE No. 1333 Dt- 27.11.2021 and also informing the matter to the Officer-In- Charge, Matigara Police Station in written and being directed, I along with SI Rashbihari Saha, ASI Binod Jha of S.O.G cell, S.P.C, and ASI Tapan Das, Const-1035 Santosh Rabidas, CV/155 Sukumar Das, CV/387 Sukumar Barman all of Matigara Police Station left for Paribahan Nagar under PS- Matigara. by Govt. vehicle to verify the veracity of the information vide Matigara PS M.C.C. NO 1217 Dt. 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.

At the time of departure from Police Station I took envelope, white paper, sealing wax, gum, seal, Digital weighing machine (Certified by the weight and Metallurgy department) etc.

On way to Paribahan Nagar, I contacted two persons namely (i) Md. Azad (38) S/O Md. Mehbub Ali (ii) Ratan Barman (38) S/O Ramani Kanta Barman 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 the independent witnesses reached at Paribahan Nagar at 15:25 hrs and being pointed by my reliable source we apprehended the truck having Reg. No. AS-01-LC-3317 and found one Shohor Ali was sitting at driver seat and another Mohibul Hussain was found sitting beside driver seat of the truck.

SI Newton Biswas.

Contd..

Thereafter, we disclosed our identity and the information in hand and stated them that they will be searched in person for the purpose. At this, they after disclosing their identity as noted above admitted that they have illegally possessed ganja in their possession for delivering the same to various parts of India for their illegal gain. I then gave them option in writing whether they wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer. Then 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.

Accordingly, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Sri Manish Yadav, Assistant Commissioner of Police, West Zone, Siliguri Police Commissionerate acting as Special Executive Magistrate, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the truck and accused person suspected to be possessed Ganja and requested him to come at Paribahan Nagar to remain present and to supervise the search and seizure. At 16:10 hrs Sri Manish Yadav, Assistant Commissioner of Police, West Zone, Siliguri Police Commissionerate arrived at the spot as Special Executive Magistrate SPC and in presence of two independent witnesses search has been conducted of the truck (AS-01 LC-3317) following all formalities and recovered the above noted 'Ganja' which was kept concealed under bamboo wood Flooring of the truck. On demand, in presence of Sri Manish Yadav, Assistant Commissioner of Police, West Zone, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC the detained persons namely Shohor Ali and Mohibul Hussain failed to produce any valid document in support of possessing of the Ganja.

Thereafter, I weighted the recovered packets with the weighing instrument which stand total of 103.7 Kgs ganja (one hundred three Kg and seven hundred grams) in five packets [1] (20 Kg 700 grams), [2] (21 Kg 500 grams), [3] (20 Kg 600 grams), [4] (20 Kg 700 grams), [5] (20 Kg 200 grams) and also extracted 50 grams ganja from each packet for examination. Then, I seized the above noted articles at the spot under proper seizure list and also labeled and sealed the articles in presence of Sri Manish Yadav, Assistant Commissioner of Police, West Zone, Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC and independent witnesses and also obtained signature of the above noted witnesses and the Special Executive Magistrate, SPC and put my signature too and also acknowledged by the accused persons. The whole process of seizure was made in between 16.25 hrs to 20.15 hrs.

Being further asked the apprehend persons namely Shohor Ali and Mohibul Hussain admitted in presence of Sri Manish Yadav, Assistant Commissioner of Police, West Zone, Siliguri Police Commissionerate and other witnesses that they have procured the ganja clandestinely for the purpose of delivering the same to various parts of India for their wrongful gain. They also disclosed that they have been dealing in such business of procuring and delivering of ganja illegally for last few months.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Shohor Ali and Mohibul Hussain are involved in procuring and delivering of Ganja illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused persons namely Shohor Ali and Mohibul Hussain 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 (i) Shohor Ali (25) S/O Lt. Motaleb Ali of Kismat Moinbari, P.S- Kalgachia, Dist.- Barpeta (Assam) and (ii) Mohibul Hussain (35) S/O Golap Hussain of Baraigar, P.S- Abhayapur, Dist- Bongaigaon (Assam) (not verified) and others and arrange for its investigation.

Enclosure:

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

Received on 27.11.2021 at 21:35 hrs vide GDE NO. 1346 Dt 27-11-2021 and started Mahagon PS (Case No 1355/21 Dt 27/11/2021 vide 20(b)(ii)(c) NDPS Act and endorsed to SI Basudeb Gaha for its investigation

Yours faithfully,

(SI Newton Biswas) 27-11-2021

Matigara Police Station
Siliguri Police Commissionerate

Office in-charge
Matigara Police Station
Siliguri Police Commissionerate