

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1258

1. Dist. SPC P.S. Matigara Year 2022 FIR No. 258/2022 Date 21.02.2022

2. i) Act NDPS Sections 20(b)(ii)(c) ii) Act 1 Sections 1  
 (iii) Act 1 Sections 1 (iv) Others Acts & Sections 1

3. (a) Occurrence of Offence : Day Monday Date From 21.02.2022 Date To 21.02.2022  
 Time Period 16.45 hrs Time From 16.45 hrs Time To 17.35 hrs  
 (b) Information received at P.S. Date 21.02.2022 Time 18.25 hrs  
 (c) General Diary Reference : Entry No(s) 1401 Time 18.25 hrs

4. Type of Information Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 2 KM South (approx) Beat No. 1  
 (b) Address Phanoidewa more underpass, Ps. Matigara, Dist. Darjeeling.  
 (c) In case outside limit of this Police Station, then the  
 Name of the P.S. 1 District 1

6. Complainant / Informant :  
 (a) Name Newton Biewas  
 (b) Father's / Husband's Name Nirmal Biewas  
 (c) Date / Year of Birth : 1980 (d) Nationality Indian  
 (e) Passport No. 123456789 Date of Issue : 15.01.2021 Place of Issue Calcutta  
 (f) Occupation Sub-Inspector of Police, West Bengal Police.  
 (g) Address Matigara Police Station, Siliguri Police Commissionerate.

7. Details of known / suspected / unknown accused with full particulars  
 (Attach separate sheet, if necessary) :  
Stopal Roy (27) s/o. Lt. Sukur Ch. Roy of Pramod Nagar, Po. New Rangia, Ps. Matigara, Dist. Darjeeling.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) One packet containing 22 kgs of Ganja wrapped with yellow colour plastic and brown colour cello tape being kept inside a Blue & Red colour bag styled as 'adidas' (Ex-A), (ii) 100 grams of ganja extracted from Ex-A (Ex-A-1).

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. 1 of the Schedule to the Cr.P.C. and 1 of the Schedule to the NDPS Act, 1988, the case was registered and 1 taken up the investigation / directed SI. Basudeb Guha 21/02/2022 Matigara Police Station to take up investigation / refused investigation / transferred to P.S. 1 Siliguri Police Commissionerate 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.

14. Signature / Thumb impression Noted on original complaint of the Complainant / Informant  
 Signature of the 21/02/2022 Officer-in-Charge Matigara Police Station  
 Name : Arundhan Shaha Siliguri Police Commissionerate  
 Rank : No. SI of Police MTC PS/SPC.

15. Date & Time of despatch to the court :





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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely Gopal Roy (27) S/O Lt. Sukur Ch. Roy of Pramod Nagar, P.O- New Rangia, P.S- Matigara, Dist.- Darjeeling (not verified) along with the following articles under seizure as per seizure list:

- i) One packet containing 22 Kgs of "Ganja" wrapped with Yellow colour plastic and brown colour cello-tape being kept inside a Blue and Red colour bag styled as "adidas" and marked as 'Exhibit-A',
- ii) 100 grams of ganja extracted from exhibit 'A' as sample for examination and marked as 'exhibit A-1'

I, SI Newton Biswas, S/O- Nirmal Biswas of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against above noted accused person to the effect that on 21.02.2022 at about 15.25 hrs I received a specific source input that one person was coming at Phansidewa underpass under PS Matigara with huge quantity of Ganja for delivering the same to his designed customers. The matter was diarized in Matigara PS GDE No. 1393 Dt- 21.02.2022 and also informing the matter to the Officer-In- Charge, Matigara Police Station in written and being directed, I along with ASI Tapan Das, Const-1035 Santosh Rabidas, Const- 1008 Kanak Roy, C/V-155 Sukumar Das and CV/387 Sukumar Barman all belongs to Matigara Police Station left for Phansidewa Underpass under PS- Matigara by Govt. vehicle to verify the veracity of the information vide Matigara PS M.C C. No. 493 Dt. 21.02.22.

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 Phansidewa underpass, I contacted two persons namely (i) Jeebon Roy (20) S/O Shyamal Roy and (ii) Shipankar Roy (21) S/O Nakul Roy both of Baba Loknath Colony, near Shimultala, P.O+P.S- Matigara, Dist.- Darjeeling 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 Phansidewa Underpass at 16.05 hrs. and being pointed by my reliable source approached towards one person standing there with a Blue and Red colour bag. At that time seeing the Police party approaching towards him, he started fled away from the spot but, however we managed to apprehend him with the Blue and Red colour bag under conscious and exclusive possession of above noted Gopal Roy.

Thereafter, we disclosed our identity and the information in hand and stated him that he will be searched in person for the purpose. At this, he after disclosing his identity as noted above admitted that he has illegally possessed ganja in his possession for selling the same to his designed customers as per requirement. I then gave him option in writing whether he wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer. Then 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.

Contd..

*Newton Biswas*

Received on 21.02.2022 at 18.25 hrs vide GAE No-  
1401 dt. 21.02.2022 and recorded MTC PS Case No-  
258/2022 dt. 21.02.2022, u/s 20(b)(1)(c) of NDPS Act  
and endorsed to SI. Basudeb Guha for its  
investigation.

*21/02/2022*

Officer In-charge  
Matigara Police Station  
Siliguri Police Commissionerate



Accordingly, I informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Ashish P. Subba, Assistant Commissioner of Police, Traffic (East), 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 Ganja and requested him to come at Phansidewa Underpass to remain present and to supervise the search and seizure. At 16:35 hrs Shri Ashish P. Subba, Assistant Commissioner of Police, Traffic (East), Siliguri Police Commissionerate arrived at the spot as Special Executive Magistrate, SPC and in presence of two independent witnesses search of the detained person has been conducted following all formalities keeping decency and recovered the above noted articles from the conscious and exclusive possession of accused Gopal Roy. On demand, in presence of Shri Ashish P. Subba, Assistant Commissioner of Police, Traffic (East), Siliguri Police Commissionerate acting as Special Executive Magistrate, SPC the detained person namely Gopal Roy failed to produce any valid document in support of possessing of the Ganja.

Thereafter, I weighted the recovered packet with the weighing instrument which stand total of 22 (twenty two Kgs) in one packet wrapped with Yellow colour plastic and brown colour cello-tape and also extracted 100 grams ganja from 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 Shri Ashish P. Subba, Assistant Commissioner of Police, Traffic (East), 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 person. The whole process of seizure was made in between 16.45 hrs to 17.35 hrs.

Being further asked the apprehend person namely Gopal Roy admitted in presence of Shri Ashish P. Subba, Assistant Commissioner of Police, Traffic (East), Siliguri Police Commissionerate and other witnesses that he has procured the ganja 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 such business of procuring and selling of ganja illegally for last few months.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Gopal Roy is involved in procuring and selling of Ganja illegally contravening the norms of NDPS Act.


Then, I arrested the above noted accused person namely Gopal Roy 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 namely Gopal Roy (27) S/O Lt. Sukur Chakraborty of Pramod Nagar, P.O- New Rangia, P.S- Matigara, Dist.- Darjeeling (not verified) and arranged for its investigation.

Enclosure:

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

Yours faithfully,

  
(SI Newton Biswas)  
Matigara Police Station  
Siliguri Police Commissionerate