

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

3779

1. District Darjeeling P.S. Siliguri Year 2022 FIR No. 678/22 Date 15/7/22

2. (i) Act 21 (C) NDPS Act Sections 19, 85

(ii) Act _____

(iii) Act _____

(iv) Others Acts & Sections _____

3. (a) Occurrence of Offence : Day _____ Date From on 15/7/22 Date To _____

Time Period _____ Time From 06.35 hr Time To 08.45 hr.

(b) Information received at P.S. Date 15/7/22 Time 09.45 hr.

(c) General Diary Reference : Entry No(s) 934 Time 09.45 hr.

4. Type of Information Written Written / Oral _____

5. Place of Occurrence : (a) Direction and Distance from P.S. 01.2 km South Beat No. _____

(b) Address PNT Gully, Gayatri Mondal Road near Suktanta Sporting club, P.S. Siliguri.

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

Name of the P.S. _____ District _____

6. Complainant / Informant : Sumit Rawat

(a) Name Puran Rawat

(b) Father's / Husband's Name _____

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

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

(f) Occupation SI of Police

(g) Address Siliguri Police Station, Siliguri Police Commissionerate.

7. Details of known / suspected / unknown accused with full particulars

(Attach separate sheet, if necessary) :

① Dipak Poddar (20) S/O. Rajkumar Poddar of Santoshi Nagar near Bishnu Mandir N.No. 05, P.S. SLG. Dist. DTG, ② Bikash Kumar Sahani (20) S/O. Ram Parvesh Sahani of Mahuraja Colony near Shiv Mandir, N.No. 04, P.S. SLG. Dist. DTG.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) (Separate sheet enclosed)

① One Black & Blue colour school bag styled as 'TRANSPORT' containing 25 (twenty five) bottles of 'P-Kuff' cough syrup having Batch No. DUNLC224 seized from the possession of Dipak Poddar & marked as 'Exhibit - A'

10. Total value of properties stolen / involved unknown

11. Inquest Report / U.D. Case No., if any _____

12. FIR Contents (Attach separate sheets, if required) The original written complainant which is treated as FIR enclosed here with.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., registered the case and took up the investigation / directed SI. Azizul Haque of SLG, P.S. SPC to take up investigation / refused investigation / transferred to P.S. _____ 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 SI Sumit Rawat of the Complainant / Informant

Signature of the Officer-in-Charge, Police Station

Gopal Chandra Mondal

Name : SI of Police

Rank : No _____

15. Date & Time of despatch to the court : DT - 15/7/22 at 10.30 hr.

TO
The Inspector - In-Charge,
Siliguri Police Station,
Siliguri Police Commissionerate.

Sub: - F.I.R

Sir,

In producing herewith two (02) arrested accused persons namely 1] Dipak Poddar (20) S/O Raj Kumar Poddar of Santoshi Nagar, Near Bishnu Mandir, W/No - 5, PS. Siliguri, Dist. Darjeeling, and 2] Bikash Kumar Sahani (20) S/O Ram Parwesh Sahani of Maharaj Colony, Near Shiv Mandir, W/No - 4, PS. Siliguri, Dist. Darjeeling (not verified) along with the following articles under proper seizure as per seizure list;

I] One Black and Blue colour school bag styled as 'JANSPORT' containing 25 (twenty five) bottles of 'P - KUFF' Cough Syrup ('Codeine Phosphate' based drugs, each bottle containing 100 ml) having Batch No. DVNLC224, which was - seized from exclusive and conscious possession of above noted Dipak Poddar and marked as "Exhibit- A".

II] One (01) bottle of "P - KUFF" Cough Syrup ('Codeine Phosphate' based drugs, each bottle containing 100 ml) randomly taken from "Exhibit- A" for examination and marked as "Exhibit A-1".

III] One Black and Marron colour school bag styled as 'LevelNXT' containing 25 (twenty five) bottles of "P - KUFF" Cough Syrup ('Codeine Phosphate' based drugs, each bottle containing 100 ml) having Batch No. DVNLC224, which was - seized from exclusive and conscious possession of above noted Bikash Kumar Sahani and marked as "Exhibit- B".

IV] One (01) bottle of "P - KUFF" Cough Syrup ('Codeine Phosphate' based drugs, each bottle containing 100 ml) randomly taken from "Exhibit- B" for examination and marked as "Exhibit B-1".

V] One Black and White Colour KTM 200 DUKE Motor Cycle without number plate along with Key and marked as Exhibit-"C"

I, SI Sumit Rawat (32), S/O- Puran Rawat of Siliguri Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused persons namely Dipak Poddar (20) S/O Raj Kumar Poddar of Santoshi Nagar, Near Bishnu Mandir, W/No - 5, PS. Siliguri, Dist. Darjeeling, and Bikash Kumar Sahani (20) S/O Ram Parwesh Sahani of Maharaj Colony, Near Shiv Mandir, W/No - 4, PS. Siliguri, Dist. Darjeeling to the effect that on 15.07.2022 at about 06:35 hrs I received a specific source input that two persons possessing huge quantity of 'Codeine Phosphate' based drugs was coming from Jalpaiguri Side to sell the same to his designed customers at Jalpaimore area under Siliguri PS. The matter was diarized in Siliguri PS GDE No. 922, Dt. 15.07.2022 and subsequently, I informed the matter to the Inspector - In-Charge, Siliguri Police Station in written and being directed, myself along with ASI Siben Sarkar, ASI Rabin Lama, ASI Debasish Das, CV 622 Rama Nath Barman and CV 283 Prasanjit Dey all of Siliguri PS, SPC along with investigation kit left for Jalpaimore area under Siliguri PS by Govt. vehicle to verify the veracity of the information. This refers to Siliguri PS GDE No. 923, Dt. 15.07.2022 and M.C.C No- 1034/2022 Date- 15.07.2022.

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 Jalpaimore area under Siliguri PS I contacted two persons namely (1) Sanjay Sahani (36), S/O- Sri Suresh Sahani of Santoshi Nagar, Near Radha Krishna Mandir, W/No - 5, PS. Siliguri, Dist. Darjeeling, Ph. No - 8016284059 and (2) Md Sonabul(34), S/O- Md. Alim of Natun Para, Jalpaimore, W/No - 5, PS. Siliguri, Dist. Darjeeling, Ph. No - 9434506522 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 Jalpaimore, under PS- Siliguri at 07.10 hrs and subsequently, being pointed by my source, detained 02 (two) persons who were standing at PNT Gully, Gayatri Mandal road near Sukanta Sporting Club and were carrying school 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 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 I/C Siliguri PS and as per his kind order, I informed to Shri Kukil Chandra Roy, 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 persons suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at PNT Gully, Gayatri Mandal road near Sukanta Sporting Club under Siliguri PS to remain present and to supervise the search and seizure.

Accordingly at 07.45 hrs Shri Kukil Chandra Roy, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at PNT Gully, Gayatri Mandal road near Sukanta Sporting Club under Siliguri PS as Special Executive Magistrate, SPC and in presence of two independent witnesses I searched the detained persons namely Dipak Poddar and Bikash Kumar Sahani following all formalities, keeping their decency and recovered the above noted articles of the accused persons namely Dipak Poddar (20) S/O Raj Kumar Poddar of Santoshi Nagar, Near Bishnu Mandir, W/No - 5, PS. Siliguri, Dist. Darjeeling, and Bikash Kumar Sahani (20) S/O Ram Parwesh Sahani of Maharaj Colony, Near Shiv Mandir, W/No - 4, PS. Siliguri, Dist. Darjeeling.

Contd..

SI Sumit Rawat

It has been found from the bag under the possession of the above noted accused person namely Dipak Poddar containing 25 (twenty five) bottles of "P - KUFF" Cough Syrup (Codeine Phosphate' based drugs, each bottle containing 100 ml) containing 25 X 100 ml = 2500 ml i.e., equivalent to 2.5 Kg.

And It has been found from the bag under the possession of the above noted accused person namely Bikash Kumar Sahani containing 25 (twenty five) bottles of "P - KUFF" Cough Syrup (Codeine Phosphate' based drugs, 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 Kukil Chandra Roy, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC the detained persons namely Dipak Poddar and Bikash Kumar Sahani 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 25 (twenty five) bottles [containing 2500 ml i.e., equivalent to 2.5 Kg] of "P - KUFF" 'Codeine Phosphate' based Cough Syrup [including 1 (one) bottle of "P - KUFF" 'Codeine Phosphate' based Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Dipak Poddar and 25 (twenty five) bottles [containing 2500 ml i.e., equivalent to 2.5 Kg] of "P - KUFF" 'Codeine Phosphate' based Cough Syrup [including 1 (one) bottle of "P - KUFF" 'Codeine Phosphate' based Cough Syrup (containing 100 ml) which were taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Bikash Kumar Sahani at the spot at PNT Gully, Gayatri Mandal road near Sukanta Sporting Club under Siliguri PS, Dist- Darjeeling under proper seizure list in presence of independent witnesses and Shri Kukil Chandra Roy, 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 Dipak Poddar and Bikash Kumar Sahani.

Subsequently, I labelled and sealed the seized articles in presence of Shri Kukil Chandra Roy, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Dipak Poddar and Bikash Kumar Sahani. The whole process of seizure was made in between 07.55 hrs to 08.45 hrs.

Being further interrogated, the apprehend persons namely Dipak Poddar and Bikash Kumar Sahani admitted in presence of Shri Kukil Chandra Roy, 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 Dipak Poddar and Bikash Kumar Sahani 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 Dipak Poddar and Bikash Kumar Sahani 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 Dipak Poddar (20) S/O Raj Kumar Poddar of Santoshi Nagar, Near Bishnu Mandir, W/No - 5, PS. Siliguri, Dist. Darjeeling, and Bikash Kumar Sahani (20) S/O Ram Parwesh Sahani of Maharaj Colony, Near Shiv Mandir, W/No - 4, PS. Siliguri, Dist. Darjeeling (not verified) and arrange for its investigation.

Enclosures:

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

Received vide SLG PS. GDE NO 934 dt. 15/7/22
at 09.45 am. and started SLG PS Case No.
678/22 dt. 15/7/22 u/s. 21(c)/22(c) NDPS Act.
and endorsed SI. Azizul Haque for
its investigation.


15/7/22
Inspector in Charge
Siliguri Police Station
Siliguri Police Commissionerate

Yours faithfully,

SI Sumit Rawat
(SI Sumit Rawat)

Siliguri Police Station

Siliguri Police Commissionerate

15/07/22