

FIRST INFORMATION REPORT
(Under Section 154 Cr. P.C.)



Dist: Darjeeling PS: Siliguri Year: 2022 FIR No: 1070/22 Date: 17.11.2022
Sections: ii) Act: Sections:
Sections: (iv) Others Acts & Sections: 21(c)/22(c) of NDPS Act, 1989

3 (a) Occurrence of Offence: Day Date From: 17.11.2022 Date To:
Time Period: Time From: 14.45 hrs Time To: 16.05 hrs
(b) Information received at P.S. Date: 17.11.2022 Time: 18.05 hrs
(c) General Diary Reference Entry No(s): 1012 Time: 18.05 hrs

4 Type of Information: Written Written / Oral
5 Place of Occurrence: (a) Direction and Distance from P.S. 1 K.m South-East Beat No.
(b) Address: Tikiapara, PS - Siliguri, Dist - Darjeeling

(c) In case outside limit of this Police Station then the Name of the P.S. District:

6 Complainant / Informant:
(a) Name: Rajiv Subba
(b) Father's / Husband's Name: S/O - Basant Subba
(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 PS, SPC

7 Details of known / suspected / unknown accused with full particulars
(Attach separate sheet if necessary):
① Md. Anupam S/O - Md. Rafiq of Vivekananda Road, Khalpara, W/O - 07, PS - Siliguri, Dist - Darjeeling.

8 Reasons for delay in reporting by the Complainant / Informant:

i) One multi colour hand bag styled as 'Royal Bags' containing 50 (fifty) 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 Md. Anupam and marked as "Exhibit-A" (ii) Two (02) bottles 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".

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 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 Basudeb Guha of Siliguri PS to take up investigation / refused investigation / transferred to P.S. Siliguri PS 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.

4 Signature / Thumb impression of the Complainant / Informant: SI Rajiv Subba
5 Date & Time of despatch to the court: on 18.11.22 at 10.35 am
Signature of the Officer-in-Charge, Police Station: [Signature]
Inspector-in-Charge, Police Station: Siliguri Police Station
Name: Komal Chandra Biswas
Rank: No. SI of Police

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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused person namely 1] Md Anupam (19yrs) S/o- Md. Rafiq of Vivekananda Road, Khalpara, W/no- 07, PS- Siliguri, Dist- Darjeeling along with the following articles under proper seizure as per seizure list;

I] One multi colour hand bag styled as 'Royal Bags' containing 50 (fifty) 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 Md Anupam and marked as "Exhibit- A".

II] Two (02) bottles 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".

I, SI Rajiv Subba (27yrs), S/O- Basant Subba of Siliguri Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted accused person namely Md Anupam to the effect that on 17.11.2022 at about 14:45hrs hrs I received a specific source input that one person possessing huge quantity of 'Codeine Phosphate' based drugs to sell the same to his designed customers at Tikiapara under Siliguri PS. The matter was diarized in Siliguri PS GDE No. 1004, Dt. 17.11.2022 and subsequently, I informed the matter to the Inspector - In-Charge, Siliguri Police Station in written and being directed, myself along with SI Sumit Rawat, ASI Siben Sarkar, ASI Subir Sen, ASI Debasish Das, C/1499 Amarnath Singh, CV 622 Rama Nath Barman and CV 283 Prasanjit Dey all of Siliguri PS, SPC along with investigation kit left for Tikiapara area under Siliguri PS by Govt. vehicle to verify the veracity of the information. This refers to Siliguri PS GDE No. 1005, Dt. 17.11.2022 and M.C.C No- 1445/2022 Date- 17.11.2022.

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 Tikiapara area under Siliguri PS I contacted two persons namely 1] Md Amir S/o- Md Jakir Hussain of Tikiapara, Matangini- II, W/no- 28, PS- Siliguri, Dist- Darjeeling and (2) Md Hassan S/o- Md Kusal of Tikiapara, Matangini- II, W/no- 28, PS- Siliguri, 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 Hatat Colony more, Tikiapara under PS- Siliguri at 15.10 hrs and subsequently, being pointed by my source, detained 01 (one) person who was standing at Hatat colony more, Tikiapara and was carrying hand bag under his exclusive and conscious possession. 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. And, I also 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 I/C Siliguri PS and as per his kind direction, I informed to Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the detention of the accused person suspected to be possessed 'Codeine Phosphate' based drugs illegally and requested him to come at Hatat Colony more, Tikiapara under Siliguri PS to remain present and to supervise the search and seizure.

Accordingly at 15:55 hrs Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot at Hatat Colony, Tikiapara under Siliguri PS as Special Executive Magistrate and in presence of two independent witnesses, I searched the detained person namely Md Anupam following all formalities, keeping his decency and recovered the above noted articles of the accused person namely Md. Anupam

Contd..

SI Rajiv Subba
dt. 17.11.22

It has been found from the bag under the possession of the above noted accused person namely Md Anupam containing 50 (fifty) bottles of "P - KUFF" Cough Syrup (Codeine Phosphate) based drugs, each bottle containing 100 ml) containing 50 X 100 ml = 5000 ml i.e., equivalent to 5 kgs.

Further, on demand in presence of Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and two independent witnesses, the detained person namely Md Anupam 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 50 (fifty) bottles [containing 5000 ml i.e., equivalent to 5 kgs] of "P - KUFF" 'Codeine Phosphate' based Cough Syrup [including 2 (two) bottle of "P - KUFF" 'Codeine Phosphate' based Cough Syrup (containing 100 ml) which was taken randomly from the mother packet for examination] from the exclusive and conscious possession of above noted accused person namely Md Anupam at the spot at Hatat Colony more, Tikiapara under Siliguri PS, Dist- Darjeeling under proper seizure list in presence of independent witnesses and Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC obtaining their signature and being acknowledged by the accused person namely Md Anupam.

Subsequently, I labelled and sealed the seized articles in presence of Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Md Anupam. The whole process of seizure was made in between 16.05 hrs to 16.45 hrs.

Being further interrogated, the apprehend person namely Md Anupam admitted in presence of Shri Maksudar Rahaman, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and 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 Anupam is involved in procuring/selling Cough Syrup 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted accused person namely Md Anupam 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 Md Anupam (19yrs) S/o- Md. Rafiq of Vivekananda Road, Khalpara, W/no- 07, PS- Siliguri, Dist- Darjeeling and arrange for its investigation.

Enclosures:

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

Received on 17.11.22 at 18.05 hrs vide
 Siliguri PS CDE No- 1012 dt- 17.11.22 and
 started Siliguri PS case No- 1070/22
 dt 17.11.22 u/s - 21(c)/22(c) of NDPS
 Act, 1989 and endorsed to SI Barua
 branch of Siliguri PS for its investigation.

Yours faithfully,
 SI Rajiv Subba
 (SI Rajiv Subba) dt. 17.11.22
 Siliguri Police Station
 Siliguri Police Commissionerate

[Signature]
 17/11/22
 Inspector-In-Charge
 Siliguri Police Station
 Siliguri Police Commissionerate