

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

3058

1. District S.P.C. P.S. Matigara Year 2023 FIR No. 108/23 Date 18/02/2023
2. Act N.D.P.S. Sections 21(c) ii) Act _____ Sections _____
Sections _____ (iv) Others Acts & Sections _____

3. (a) Occurrence of Offence : Day _____ Date From 18/02/2023 Date To 18/02/2023
Time Period _____ Time From 19:25 hrs Time To 21:35 hrs

(b) Information received at P.S. Date 18/02/2023 Time 22:20 hrs

(c) General Diary Reference : Entry No(s) 935 Time 22:20 hrs

4. Type of Information : Written Written / Oral

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

(b) Address Arun Dhaba near Khaprail mare P.S. Matigara Dist. Dmyceling.

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

6. Complainant / Informant :

(a) Name Sr. Md. Sonaulah

(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 Sent. Service (Police)

(g) Address Matigara P.S. S.P.C.

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

(Attach separate sheet, if necessary) :

- 1. Bipul Roy (61) Sp. U. Khagen Roy
- 2. Pradip @ Teju Roy (30) Sp. Bipul Roy.

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

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

- 1. 50 bottles of Rex cough Syrup (Codiene phosphate & chloropheniramine maleate Syrup) each bottle contains 100 ml.

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 enclosed here with/reproduced overleaf.

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 Sr. Sekhar Ashikany. to take up investigation / refused investigation / transferred to P.S. _____ 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 in Original Complaint of the Complainant / Informant
Signature of the Officer in Charge, Police Station SAMIR DEOSHA
Name : SAMIR DEOSHA
Rank : No. INSPECTOR OF POLICE

15. Date & Time of despatch to the court : 19/02/23 at 11:00 hrs.



To
The Officer-in-Charge,
Matigara Police Station,
Siliguri Police Commissionerate.

Received on 18/02/2023 at 22:20 hrs vide
M.T.G PS GDE No-935 and spotted M.T.G
PS Case No-108/23 dt. 18/02/23 U/S 21(c)
of N.D. PS Act and endorsed to SI
Sekhar Adhikary for its investigation

Sub: - F.I.R

[Signature]
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

Sir,

In producing herewith 02 (two) arrested accused persons namely (i) Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and (ii) Pradip @ Tepu Roy (30) S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling along with the following articles under proper seizure as per seizure list:

(i) 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and marked as Exhibit "A".

(ii) 02 (two) sealed bottles Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024 taken out from Exhibit "A" for sample for examination and marked as Exhibit "A1".

(iii) 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Pradip @ Tepu Roy S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and marked as Exhibit "B".

(iv) 02 (two) sealed bottles Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024 taken out from Exhibit "B" for sample for examination and marked as Exhibit "B1".

I, SI Md Sanaullah of Matigara Police Station, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted 02 (two) arrested accused persons namely Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and (ii) Pradip @ Tepu Roy (30 yrs) S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling to the effect that on 18.02.2023 at about 15.40 hrs I, received a specific reliable source input that two persons possessing huge quantity of illegal 'Codeine Phosphate' based Cough Syrup without any valid license, will come at Arun Dhaba near Khaprail More under Matigara PS, Dist.- Darjeeling to deliver the same to their designed customers for their illegal gain. Accordingly, the matter was diarized in General Diary vide Matigara PS GDE No. 917, Dt. 18.02.2023 and subsequently, I informed the matter to the Officer-in-Charge, Matigara Police Station in written. I also informed one Videographer namely Bapan Ghosh S/O Late Rabi Ghosh of Jagannathpur, Bidhan Nagar, PS- Phansidewa, Dist.- Darjeeling over telephone to come at the spot for the purpose of videography. Subsequently being directed by the Officer Incharge, Matigara PS, SPC myself along with ASI Laxman Saha, C/208 Prithhi Narayan Barman, C/ 974 Mintu Sen, C/374 Debraj Biswas, C/1053 Paresh Rava, CV/783 Nirod Singha all of Matigara PS, SPC left for Arun Dhaba near Khaprail More under PS- Matigara, Dist.- Darjeeling along with investigation kits by Govt. vehicle to verify the veracity of the information. This refers to Matigara PS GDE No. 918, Dt. 18.02.2023 and M.C.C No 317/2023 Date- 18.02.2023. On the way I briefed all them and share the information in hand. Under this circumstances any search warrant or authorization for search cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

[Signature]
Md Sanaullah

At about 16.15 Hrs I along with force reached at Arun Dhaba near Khaprail More under Matigara PS and contacted two persons namely (i) Sanju Sahani (22 yrs) S/O Dharmendra Sahani of Arabinda Pally, PO+PS- Matigara, Dist.- Darjeeling and (ii) Jiblal Singh (41 yrs) S/O Jogen Singh of Mota Jote, PO+PS- Matigara, Dist.- Darjeeling and informed them about the source input and requested them in written to act as witness, if any search and seizure would be made necessary upon which they agreed. Meanwhile the videographer namely Bapan Ghosh S/O Late Rabi Ghosh of Jagannathpur, Bidhan Nagar, PS- Phansidewa, Dist.- Darjeeling arrived and joined us at near Arun Dhaba near Khaprail More with video Camera.

Then, I along with force awaiting for the suspected persons at near Arun Dhaba and after some time being pointed and identified by my source I, noticed two persons each one carrying a nylon bag in their hand and entered into Arun Dhaba near Khaprail More under PS- Matigara, Dist.- Darjeeling suspected to be carrying contraband drugs. Accordingly, I along with above noted officers and force cordoned the place from all sides to avoid escape of the suspected persons and managed to apprehend two suspected persons who were holding two nylon bags each in their possession and detained both of them to avoid escape.

Further I disclosed my identity as Police Officer and the whole team as Police Personal to them. On being asked they disclosed their identity as noted above. I then shared them about the information in hand and asked them about the content of the bags which they had possessed. On which they stated that they had possessed Cough Syrup in their Nylon bags which they had illegally possessed from one supplier and come there to sell the same to the designed customers for their wrongful gain. I also asked them in written whether they want to be search in presence of any Gazetted Officer or in presence of Executive Magistrate upon which they agreed to be searched in presence of any one of the above. I also offered the independent witnesses and the detained persons to search our Police Party as per provisions of law but they denied to search the police party.

Consequently, at about 17.35 Hrs I, informed the matter to O/C Matigara PS and as per his kind order, I informed to Shri Gyalsen Lepcha, WBPS, ACP Traffic (HQ), SPC, Special Executive Magistrate detained for the day regarding the interception of the suspected persons possessing huge quantity of 'Cough Syrup' illegally and requested him to attend the spot at Arun Dhaba Near Khaprail More under Matigara PS to supervise the search and seizure.

Accordingly at 18:55 hrs Shri Gyalsen Lepcha, WBPS, ACP Traffic (HQ), SPC as an Executive Magistrate arrived at the spot at Arun Dhaba near Khaprail More under Matigara PS and after obtaining permission from the Ld. Executive Magistrate and in presence of two independent witnesses, I searched the detained persons after following all formalities, keeping their strict regard of decency and recovered 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codeine Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Bipul Roy (61 yrs) S/O Late Khagen Roy and 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codeine Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201 Mfg. Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Pradip Tepu Roy S/O Bipul Roy. On demand in presence of Ld. Executive Magistrate the detained persons failed to produce any valid documents/papers for possessing of such a huge quantity of 'Codeine Phosphate' based Cough Syrup. On further enquiry they admitted their guilt and stated that they had procured the 'Codeine Phosphate' based Cough Syrup clandestinely from one of their supplier for the purpose of selling the same in high rates to their designed customers for their personal gain by illegal means. They also disclosed that they have been dealing such type of business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for their wrongful gain.

Ref Sanjukta

Accordingly, I seized the recovered (i) 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and marked as Exhibit "A". (ii) 02 (two) sealed bottles Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024 taken out from Exhibit "A" for sample for examination and marked as Exhibit "A1". (iii) 25 (Twenty Five) Bottles of Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024, found in a Black Colour carry bag, which was kept inside a Multi-colour Nylon Bag found from the exclusive and conscious possession of accused Pradip @ Tepu Roy (30) S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and marked as Exhibit "B". (iv) 02 (two) sealed bottles Ony Rex Cough Syrup (Codiene Phosphate and Chlorpheniramine Maleate Syrup) each bottle containing 100 ml. having Batch No. MG44201, Mfg. Date 12/2022, Expiry date 11/2024 taken out from Exhibit "B" for sample for examination and marked as Exhibit "B1" under proper seizure list in presence of independent witnesses and in presence of Ld. Executive Magistrate and obtaining their signature and being acknowledged by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Ld. Executive Magistrate and independent witnesses and the above noted accused persons. The whole process of search, seizure and label was made under the coverage of videography by the videographer named Bapan Ghosh S/O Late Rabi Ghosh of Jagannathpur, Bidhan Nagar, PS- Phansidewa, Dist.- Darjeeling on 18.02.23 in between 19:25 hrs to 21:35 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely (i) Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and (ii) Pradip @ Tepu Roy (30) S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

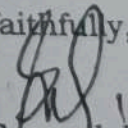
Then, I arrested the above noted accused persons namely (i) Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and (ii) Pradip @ Tepu Roy S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

Under the above circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused persons namely (i) Bipul Roy (61 yrs) S/O Late Khagen Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and (ii) Pradip @ Tepu Roy S/O Bipul Roy of Baromohan Singh Jote, near Siliguri B. Ed College, PS- Matigara, Dist.- Darjeeling and arrange for its investigation.

Enclosures:

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

Yours faithfully,



(SI Md Sanullah)
Matigara Police Station,
Siliguri Police Commissionerate.
Date: 18.02.2023