

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

2340

1. Dist. SPC P.S. Matigara Year 2023 FIR No. 190/23 Date 18/03/23

2. i) Act N.D.P.S Sections 20(b)(ii)(B) ii) Act Sections

iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 18/03/23 Date To 18/03/23

Time Period Time From 19:30 hrs Time To 21:10 hrs

(b) Information received at P.S. Date 18/03/23 Time 22:10 hrs

(c) General Diary Reference : Entry No (s) 1006 Time 22:10 hrs

4. Type of Information Written Written / Oral

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

(b) Address Chandmoni Hospital line near Chamla Bridge Pl. Matigara Dist. Darjeeling.

(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District

6. Complainant / Informant :

(a) Name PSI Avijit Banik

(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 Govt Employee.

(g) Address Matigara Ps. SPC

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

(Attach separate sheet, if necessary) :

1. Ratan Das (22) Yr) Sp/ Lt. Hazan Das of Moraria-2 PO. Rajchhat Ps. Sahabganj Dist. Coochbehar.

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

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

1. Total 9.675 kgs of Ganja (i) One blue colour bag pack having two compartment (ii) one blue/black colour bag pack having long of Amul can 'T' having few compartment.

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 is treated as FIR is enclosechere with/reproduced over leaf.

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 Ajen Lepcha to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

PSI Avijit Banik.

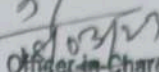
14. Signature / Thumb impression of the Complainant / Informant Noted in Original Complaint. Signature of the Officer-in-Charge, Police Station Name: SAMIR DEBSHA Rank : No.

15. Date & Time of despatch to the court : on 19/03/23 at 11:00 hrs.

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

Received on 18/03/23 at 22:10 hrs vide
M.F. PS GDE No-1806 and started M.F.S
PS Case No-190/23 dt. 18/03/23 u/s
20(b)(1)(B) of The N.D.P.S Act and
endorsed to SI Ajen Lepcha for its
investigation

Sub: F.I.R


Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

Sir,

In producing herewith One(01) arrested accused person namely Ratan Das (22 yrs) S/O Lt. Haran Das of Mornia-2, PO- Nazirhat, PS- Sahebganj, Dist- Cooch Bihar along with the following seized articles, as per seizure list enclosed herewith, I, PSI Avijit Banik of Matigara Police Station, Siliguri Police Commissionerate, do hereby lodge this written complaint against above noted accused person to the effect that today on 18.03.2023 at 16:35 hours, a source information was received that one Ratan Das is transporting contraband "ganja" illegally from Cooch Bihar for selling the same to his designated customers for his wrongful gain.

This was diarized vide Matigara PS GDE No. 992 dated 18.03.2023. Accordingly, I informed the matter to Officer-in-charge of Matigara PS/SPC in writing and as per his kind instruction, myself along with SI Sajal Roy, SI Sailesh Subba, SI Ajen Lepcha, ASI Tapan Das, C/219 Sanatan Chitrakar and CV/ 643 Animesh Roy all of Matigara PS, Siliguri Police Commissionerate, left for Chandmni Hospital Line under Matigara PS by Govt. vehicle vide GDE NO 993 dated 18.03.2023 and MCC No 1185 dated 18.03.2023 to verify the veracity of the information.

At the time of departure from office I took envelope, white paper, sealing wax, gum, seal, digital weighing machine (Certified by the weight and Metallurgy department) and other investigation kits as it would be needed if any contraband substance was found.

At around 17:15 hours, we reached Chandmoni Hospital Line under Matigara PS, and called two independent witnesses namely (1) Ratan Barman (40) s/o Dharanikanta Barman and (2) Md. Azad (38) s/o Md. Mehbub Ali both of Matigara Tumbajote, PO+ PS Matigara, Dist. Darjeeling. We disclosed our identities to them and requested them to accompany us and remain present as witnesses during the process of search and seizure. We also requested videographer namely Somnath Chatterjee s/o Sushil Chatterjee of Aurobindo Nagar, Ward No 22, PS Siliguri, over his mobile phone (9800325284) to come with his video camera and requested him to record the entire process of search and seizure.

Thereafter we parked our vehicle at a considerable distant from Chamta Bridge, P.S Matigara, Dist. Darjeeling as indicated by our source.

Then being shown and identified by my source we proceeded towards Chandmoni Hospital Line. We saw a person standing beside the road near Chamta Bridge with one blue color bag on his back and one black/blue color bag on his hand which contained some articles. On seeing the police team, he became nervous and

tried to run away from the spot. I approached the said person and disclosed my identity as Police Officer of Matigara Police Station and disclosed the identities of the police team accompanying me.

On being asked, he disclosed his identity as Ratan Das (22 yrs) S/O Lt. Haran Das of Mornia-2, PO- Nazirhat, PS- Sahebganj, Dist- Cooch Bihar (not verified). We informed him that we had specific information that he had in his possession a huge quantity of "ganja" on your belongings and that we intended to search him and the bags that he was carrying. Initially he denied having any "Ganja" with him and that the bags contained other articles. But I told him that we would search his person and the bags he was carrying. Eventually he admitted that the bags contained "Ganja" and he was waiting for a customer to deliver the same. He stated that he did not have any license to sell "Ganja" and that he procures the same from one person from elsewhere and then sells the same to his customers illegally, for his wrongful gain. It was clear that he has illegally procuring and transporting the "Ganja".

Thereafter I served him a Notice giving him the option of "whether he wanted to be searched in presence of Executive Magistrate or by any Gazette Officer". To this, he agreed to be searched by any one of them. I also offered the independent witnesses accompanying us, and the accused person to search our Police Party as per provision, but they refused to search the police party.

I then sent ASI Tapan Das with a requisition to Special Executive Magistrate, Shri Gyalchen Lepcha, ACP (Traffic HQ) SPC, requesting him to come to the spot for supervising the process of search and seizure.

At around 19:05 hours, ASI Tapan Das returned at the spot along with Special Executive Magistrate, Shri Gyalchen Lepcha, ACP (Traffic HQ) SPC and he disclosed his identity as Special Executive Magistrate, to the detained person as well as the independent witnesses told them that he would be supervising the process of search and seizure.

As instructed by Ld. Special Executive Magistrate and under his supervision in presence of two independent public witnesses, search was conducted of the detained person Ratan Das, observing all formalities, but nothing could be recovered from his person except wearing apparels. Then the two bags were searched and then following articles were found inside the two bags as given below:-

1. One (01) transparent plastic packet which contained suspected "Ganja" like substance weighing approximately 4 Kg, 151 grams marked as "Exhibit-A".
2. One (01) transparent plastic packet which contained suspected "Ganja" like substance weighing approximately 5 Kg, 524 grams marked as "Exhibit-B".
3. One blue color bag pack having two compartment written Govt. of West Bengal Vidyalaya Siksha Daptar in which back portion of the chain was not in working condition which contains "Exhibit-A" and is marked as "Exhibit-C".
4. One blue/ black color bag pack having the logo of 'American-T' having four compartments which contain "Exhibit-B" and marked as "Exhibit-D".

As directed by Shri Gyalchen Lepcha, ACP (Traffic HQ) SPC, with the help of a weighing machine, I had weighed both the plastic packets with its content. One

Plastic Packet which weighed approximately 4 Kg 151 Grams and marked it as Exhibit- "A" and the other plastic packet which weighs approximately 5 Kg 524 Grams and marked it as Exhibit "B".

On asking Ratan Das was unable to produce any document/license in support of that ganja that was in his possession, when asked for by Sri. Gyalchen Lepcha, ACP (Traffic HQ) SPC. He confessed that he was carrying on this business illegally. He used to procure it from elsewhere and used to sell it to his customers for his wrongful gain and that he was waiting for his designated customer when the police team reached at the spot.

As instructed by Gyalchen Lepcha, ACP (Traffic HQ) SPC SPC, I seized all above noted articles under proper seizure list in presence of the above noted independent witnesses and took the signatures of the witnesses and the accused person on the seizure list. I also then labeled and sealed the "Exhibit-A" and Exhibit-B' in presence of the Special Executive Magistrate, independent witnesses and the accused. The seizure was made in between 19:30 hours to 21:10 hours. The whole process of search and seizure was videographed by the videographer.

Ratan Das (22 yrs) S/O Lt. Haran Das of Mornia-2, PO- Nazirhat, PS- Sahebganj, Dist- Cooch Bihar confessed before the Special Executive Magistrate and other witnesses that he used to procure Ganja clandestinely from elsewhere for the purpose of selling the same in high rate to his designed customers for his wrongful gain by illegal means and that he was doing this for a long time.

I, then arrested Ratan Das (22 yrs) S/O Lt. Haran Das of Mornia-2, PO- Nazirhat, PS- Sahebganj, Dist- Cooch Bihar Memo of Arrest for violating the terms and condition of the NDPS Act, after observing all guidelines of Apex Court. His ground of arrest was duly communicated to him.

Under the above circumstances, I pray that a specific case under proper section of law may kindly be started against the accused person named Ratan Das (22 yrs) S/O Lt. Haran Das of Mornia-2, Po- Nazirhat, PS- Sahebganj, Dist- Cooch Bihar and arrange for its investigation.

Yours faithfully,

PSI Avijit Banik.

(PSI Avijit Banik)
Matigara PS / SPC

closure:

1. Original Memo of Arrest.
2. Original seizure list with seized articles.
3. Original Inspection Memo.