

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



SPC PS Matigara Year 2023 FIR No. 259/23 Date 06/07/23
N.D.P.S Sections 21(c)/29 ii) Act Sections
Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence Day Date From 06/07/23 Date To 06/07/23
Time Period Time From 14:55 Time To 16:05 hrs.
(b) Information received at P.S. Date 06/07/23 Time 18:05 hrs.
(c) General Diary Reference: Entry No(s) 303 Time 18:05 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 more ps. Matigara
Dist. Durgachhali
(c) In case outside limit of this Police Station, then the Name of the P.S. District

6. Complainant / Informant:
(a) Name SI Sailesh Subba
(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. Nayara Begom (F/20) w/o. Md. Nuzul 2. Md. Hakimuddin (M/50)
S/o Ilu mahammad 3. Khateja Nesha @ Kamija (F/15) w/o Md.
Hakimuddin and others Mame of Chopra and others

8. Reasons for delay in reporting by the Complainant / Information
Officer-in-Charge Matigara Police Station
SIguri Police Commissionerate

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary):
1] One Blue and Black Check Color Ladies hand bag, 2] One Transparent Zipper Plastic Pouch containing Three Hundred Twenty One Grams (321 gms) said to be Brown Sugar, 3] One Blue Color Samsung Brand Mobile Phone having IMEI 1: 356600350531841/01 and IMEI 2: 356914590531846/01, 4] One red color carry bag, 5] One transparent zipper plastic pouch containing One Hundred and Ninety Eight Grams (198 gms) said to be Brown Sugar, 6] One Oppo Brand Mobile Phone having IMEI 1: 862026057523690 and IMEI 2: 8620226057523682

12. FIR Contents (Attach separate sheets, if required): The Original written Complaint which is treated as FIR is enclosed here 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 Chhabilal Sinha
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 of the Complainant / Informant: SI Sailesh Subba
Signature of the Officer-in-Charge, Police Station: [Signature] 06/07/23
Name: [Signature] Matigara Police Station
Rank: No. SIguri Police Commissionerate
15. Date & Time of despatch to the court: On 07/07/23 at 11:00 hrs



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

Received on 06/04/23 @ 18:06 hrs vide MTC PS Case No-
303 A, 06/04/23 and started MTC PS Case No. 259/23 dt:
06/04/23 u/s- 21(a)/29 of The NDPS Act and endorsed
to SI Sailesh Subba for its investigation.

Sub: F.I.R

06/04/23
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

Sir,

In producing herewith three (03) arrested accused persons namely (1) Najara Begam (Female/20 years) w/o Md Nurul of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified) along with one baby on her lap, (2) Md. Hakimuddin (Male /50 years) s/o Ilu Mohammad of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (Not Verified), and (3) Khateja Nesha @ Kamija (Female/45 years) w/o Md. Hakimuddin of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified) along with the following seized articles, as per seizure list viz:

- 1] One Blue and Black Check Color Lady's hand bag marked as "Exhibit-A".
- 2] One Transparent Zipper Plastic Pouch containing Three Hundred Twenty One Grams (321 gms) said to be Brown Sugar marked as "Exhibit B" which was kept inside "Exhibit-A".
- 3] One Blue Color Samsung Brand Mobile Phone having IMEI 1: 356600350531841/01 and IMEI 2: 356914590531846/01 which was kept inside "Exhibit-A"
- 4] One Rbd Color Carry Bag marked as "Exhibit -C"
- 5] One Transparent Zipper Plastic Pouch containing One Hundred and Ninety Eight Grams (198 gms) said to be Brown Sugar marked as "Exhibit -D" which was kept inside "Exhibit-C".
- 6] One Oppo Brand Mobile Phone having IMEI 1: 862026057523690 and IMEI 2: 8620226057523682 which was kept inside "Exhibit-C".

I, SI Sailesh Subba of Matigara Police Station, Siliguri Police Commissionerate, do hereby lodge this written complaint against the above noted accused persons to the effect that today on 06.04.2023 at 12.45 hours, a source information was received that three persons along with one baby carrying by one lady on her lap are coming towards Biswas Colony via Old Matigara Road from Siliguri Junction who are suspected to be possessing huge quantity of narcotic substances said to be Brown Sugar inside their carry bags for selling the same to their designated customers at Matigara area for their wrongful gain.

The matter was diarized vide Matigara PS GDE No. 279, dated 06.04.2023. and informed the matter to Officer-in-charge of Matigara PS/SPC in writing and as per his kind instruction, I, along with SI Sajal Roy, SI Agen Lepcha, ASI Tapan Das, C/219 Sanatan Chitrakar, LC/1286 Anisha Chettri and LC/1251 Yangkila Bhutia, CVF/643 Animesh Roy, CVF/977 Ganesh Paswan all of Matigara PS, Siliguri Police Commissionerate, left to work towards Old Matigara Road under Matigara PS by Government vehicle vide GDE NO 280 dated 06.04.2023 and MCC No 454, Dated 06.04.2023 to verify the veracity of the information.

During 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 narcotic substances were found. I, also requested videographer namely Somnath Chatterjee s/o Sushil Chatterjee of Aurobindo Nagar, Ward No 22, PS Siliguri, over his mobile phone to come with his video camera and requested him to record the entire process of search and seizure if required.

At around 13.10 hours, we reached at Chandmuni, Hospital Line More under Matigara PS, and parked the Vehicle at a considerable distance and called two independent witnesses namely (1) Md Azad (39) s/o Md. Mehabub of Tumbajote, PO+PS Matigara, Dist. Darjeeling and (2) Deepak Das (2) s/o Late Mantulal Das of do, and disclosed my identity to them and the accompanying team as Police team and shared the information in hand and requested them in written to accompany us and remain present as a witnesses during the process of search and seizure if required. The witnesses agreed and acknowledged the same.

SI Sailesh Subba
Date - 06/04/2023

INFORMATION REPORT

I, along with accompanied Officers and forces with the independent witnesses started waiting for the three suspected persons to arrive at Chandmuni near Hospital Line More. At around 13.35 Hours my source identified the three persons and being pointed by him we saw three persons including one male person who was carrying one red color carry bag in his hand and two ladies wherein one lady was carrying one lady's carry bag and one baby in her lap, coming towards Matigara Biswas Colony via Old Matigara Road by foot. I asked all of them to stop and approached them and disclosed my identity as Police Officer of Matigara Police Station and disclosed the identities of the police team accompanying me.

On being asked, the three persons disclosed their name and identity as (1) Najara Begam (Female/20 years) w/o Md Nurul of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified), (2) Md. Hakimuddin (Male /50 years) s/o Ilu Mohammad of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (Not Verified), and (3) Khateja Nesha @ Kamija (Female/45 years) w/o Md. Hakimuddin of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified).

I, then shared the information in hand to them that we have specific information that they had in their possession a huge quantity of narcotic substances said to be Brown sugar and that we intended to search them. Initially they all denied having any such type of narcotic substances with them. But I told them that we would search them in person in presence of witnesses and in presence of Lady Police persons. Eventually one Najara Begam admitted that she is in possession of Brown Sugar and she also stated that her parents were also in the possession of Brown Sugar which was procured from elsewhere in Chopra from one person namely Mama for selling the same illegally to their customers at Matigara area for their wrongful gain. On further enquiry her parents namely Md. Hakimuddin and Khateja Nesha @ Kamija also admitted that they are also in possession of Brown Sugar which was given by her daughter Najara Begam to carry the same.

Their statement constrained me to believe that they were possessing narcotics substances said to be Brown Sugar illegally for transporting and selling to their designed customers at Matigara for their wrongful gain. Accordingly I detained all the three persons after observing all the formalities and after maintaining strict regard of decency of the persons.

Thereafter, I served them a Notice giving them an option of "whether they wanted to be searched in presence of Executive Magistrate or by any Gazette Officer". And in return they agreed to be searched in presence of 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.

At around 13.55 Hours I, sent ASI Tapan Das with a requisition to Special Executive Magistrate, Shri Narendra Kalicotay (ACP, SB) Siliguri Police Commissionerate requesting him to come to the spot for supervising the process of search and seizure.

At around 14.35 hours, ASI Tapan Das returned at the spot along with Special Executive Magistrate, Shri Narendra Kalicotay (ACP, SB) Siliguri Police Commissionerate. Accordingly Shri Narendra Kalicotay disclosed his identity as Special Executive Magistrate, to the detained persons as well as the independent witnesses and briefed them that he would be supervising the process of search and seizure as per norms.

As instructed by Ld. Special Executive Magistrate and under his supervision in presence of two independent public witnesses and in presence of lady Police search was conducted of the detained persons after taking strict regard of decency, and recovered the following articles viz:

1] One Blue and Black Check Color Lady's hand bag containing One Transparent Zipper Plastic Pouch containing Three Hundred Twenty One Grams (321 gms) said to be Brown Sugar and One Blue Color Samsung Brand Mobile Phone having (IMEI 1: 356600350531841/01 and IMEI 2: 356914590531846/01), from the possession of lady accused person namely Najara Begam (20 years) w/o Md. Nurul of Biswas Colony, Rail Gate, P.O +P.S Matigara, Dist. Darjeeling.

S1 Sateesh Subba
Date - 06/04/2023

2] One Red Color Carry Bag containing One Transparent Zipper Plastic Pouch containing One Hundred and Ninety Eight Grams (198 gms) said to be Brown Sugar and One Oppo Brand Mobile Phone having IMEI 1: 862026057523690 and IMEI 2: 8620226057523682 from the joint possession of accused persons namely Md. Hakimuddin (50 years) of Biswas Colony, Rail Gate, P.O +P.S Matigara, Dist. Darjeeling and his wife Khateja Nesha @ Kamija (45 years) w/o Md. Hakimuddin of Biswas Colony, Rail Gate, P.O +P.S Matigara, Dist. Darjeeling.

[The above recovered substances said to be Brown sugar was weighed with the help of digital weighing machine certified by the weight and Metallurgy Department]

Further, Ld. Special Executive Magistrate demanded valid documents to all of them for carrying such type of narcotics substances but they were unable to produce any document/license in support of that said to be brown sugar in their possession. All the three detained persons also confessed that they were carrying such type of narcotic substances illegally. They also stated that they had procured it from elsewhere in Chopra and was transporting the same to sell it to their customers at Matigara for their wrongful gain.

As instructed by Special Executive Magistrate, I seized all the 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", "Exhibit-C" and "Exhibit-D", in presence of the Special Executive Magistrate, independent witnesses and accused persons. The seizure and label was made in between 14.55 hours to 16.05 hours. The whole process of search, seizure and label was video graphed by the videographer.

I, then arrested the above noted detained accused persons after observing all guidelines of Apex Court under proper Memo of Arrest for violating the terms and condition of the NDPS Act. Their ground of arrest was duly communicated to them.

Under the above noted circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused persons namely (1) Najara Begam (Female/20 years) w/o Md Nurul of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified), (2) Md. Hakimuddin (Male /50 years) s/o Ilu Mohammad of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (Not Verified), and (3) Khateja Nesha @ Kamija (Female/45 years) w/o Md. Hakimuddin of Biswas Colony, Rail Gate, P.O+P.S Matigara, Dist. Darjeeling (not verified) and others and arrange for its investigation.

Yours faithfully,

SI Sailesh Subba

(SI Sailesh Subba)

Matigara PS / SPC

Date: 06.04.2023

Enclosure:

1. Original Memo of Arrest.
2. Original seizure list with seized articles.
3. Original Inspection Memo.
4. Other connected papers.