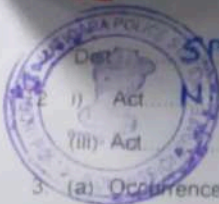


FIRST INFORMATION REPORT  
(Under Section 154 Cr. P.C.)

41



Dist: Spc PS: Matigara Year: 2023 FIR No: 291/2023 Date: 14/04/2023  
i) Act: N.D.P.S Sections: 21(a)/22(c) ii) Act: \_\_\_\_\_ Sections: \_\_\_\_\_  
(iii) Act: \_\_\_\_\_ Sections: \_\_\_\_\_ (iv) Others Acts & Sections: \_\_\_\_\_

3 (a) Occurrence of Offence: Day \_\_\_\_\_ Date From: 14/04/2023 Date To: 14/04/2023  
Time Period: \_\_\_\_\_ Time From: 15:05 hrs Time To: 16:20 hrs

(b) Information received at P.S. Date: 14/04/2023 Time: 17:15 hrs

(c) General Diary Reference: Entry No(s): 770 Time: 17:15 hrs.

4 Type of Information: Written Written / Oral

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

(b) Address: Atharakhai Play Ground, Shivmardia, ps-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: SI Ayon Lepcha

(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. Service, Sub- Insp of Police (W.B.P).

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

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

(Attach separate sheet, if necessary):  
① Jiban Jyoti Roy @ Pikelu, S/O-11. Harshnat Roy of New Rangia near Army Gate, PO-New Rangia, ps-Matigara, Darjeeling. ② Avijit Roy @ Ravan, S/O-Binod Ch. Roy of New Rangia near Army Gate, PO-New Rangia, ps-Matigara, Darjeeling.

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

/

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

[1] Forty two pieces of vials of LUPIGESIC Injection, [2] Forty two pieces of vials of PHENERGAN Injection, [3] Forty two pieces of vials of DIAZEPAM Injection, [4] One Saffron Colour carry bag, [5] One white Colour keypad Samsung Brand mobile phone having IMEI No. 358243864486356 and SIM No. 9635502233 and [6] One Scooty bearing Regd. No- WB 74 AX 1831.

11. Inque \_\_\_\_\_

12. FIR Contents (Attach separate sheets, if required): The original written complaint which is treated as FIR is reproduced overleaf.

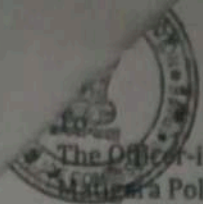
13. Action taken: Since the above report reveals commission of offence(s) as mentioned at item No. 2 registered the case and took up the investigation / directed: SI Avijit Banik Matigara Police Station to take up investigation / refused investigation / transferred to P.S. Siliguri Police Commissionerate point of jurisdiction.

FIR read over to the Complain/ 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 Ayon Lepcha

Signature of the Officer-in-Charge, Police Station: 14/04/23  
Matigara Police Station  
Name: SUBIN PAUL TALUKDAR

15. Date & Time of despatch to the court: On 15/04/2023 at 11:00 hrs. Rank: No. SI OF POLICE, MTG PS, SPC.



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

Received on 14/04/23 at 17:15 hr  
MTG PS GDE NO- 770 DI- 14/04/23  
started MTG PS CASE NO- 291/23  
DI- 14/04/23 u/c- 21(0)/22(0) of  
Act & endorsed to SI Avijit B  
for it's investigation.

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

Sub: F.I.R

Sir,

In producing herewith Two (02) arrested accused persons namely (1) Jiban Jyoti Roy @ Piklu (33) S/O Harshnat Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling ( not verified) and (2) Avijit Roy @ Ravan ( 26 yrs) S/O Binod Chandra Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling (not verified) along with the following seized articles, as per seizure list viz:

1. Forty two (42) pieces of vials of LUPIGESIC Injection composition with Buprenorphine Hydrochloride 1P equivalent to Buprenorphine 0.3 mg each vials containing 02 ML (Total 84 ML) and Marked as Exhibit-"A".
2. Forty two (42) pieces of vials of PHENERGAN Injection composition with Promethazine IP 25 mg, Hydrochloride 1P 25mg each vials containing 02 ML (total 84 ML) and Marked as Exhibit-"B"
3. Forty two (42) pieces of vials of DIAZEPAM Injection composition with Diazepam 1P 5mg each vials containing 02 ML (total 84 ML) and Marked as Exhibit-"C".
4. One (01) Saffron Color carry bag which contain Exhibit A, B, & C and Marked as Exhibit-"D".
5. One (01) white Colour keypad Samsung Brand mobile phone having IMEI No. 358243864486356 and SIM No. 9635502233.
6. One (01) Neo Orange Metallic Color Scooty (Two Wheeler) Grazia Model of Honda Company bearing Registration Number WB 74AX 1831.

I, SI Ajen Lepcha of Matigara Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against above noted accused persons to the effect that today on 14/04/2023 at 12:15 hours, a source information was received that two persons along with one Scooty bearing Registration Number WB 74AX 1831 are waiting for their customers with a huge quantity of "Narcotic Substances" at Atharakhai Play ground, at Shivmandir, under Matigara PS with the intension of selling the same for their wrongful gain.

The information was diarized vide Matigara PS GDE No. 751, dated 14/04/2023. 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, ASI Sanjay Basunia, C/103 Paresh Rava, C/974 Mintu Sen and CV/ 643 Animesh Roy all of Matigara PS, Siliguri Police Commissionerate, left for Atharakhai play ground, at Shivmandir under Matigara PS by Govt. vehicle vide GDE NO 752 dated 14/04/2023 and MCC No 514, dated 14/04/2023 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.

SI. Ajen Lepcha

At around 12:55 hours, we reached near Atharakhai play ground, at Shivmandir under Matigara PS, and parked the Vehicle at considerable distance. I also called two independent witnesses namely (1) Subrata De S/O Amrita Kumar De of Chaitanyapur, Shivmandir, PO-Kadamtala, PS-Matigara, Dist-Darjeeling and (2) Manik Barman S/O Aurbinda Barman of Balason Colony, PO-New Rangia, PS-Matigara, Dist-Darjeeling and we disclosed our identities to them as Police Officer and requested them in written to accompany us and remain present as witnesses if any search and seizure be made. They agreed to remain present at the spot during the whole processes. We also requested videographer namely Somnath Chatterjee s/o Sushil Chatterjee of Aurobindo Nagar, Ward No 22, PS Siliguri, over his mobile phone to come at the spot with his video camera and requested him to record the entire process of search and seizure.

Then being identified and shown by my source we proceeded towards Atharakhai playground. We saw two persons standing beside one Scooty on the south west direction of the Atharakhai Play Ground. On seeing the police team, they became nervous and tried to run away from the spot but on hot chase we managed to apprehend both of them. I then detained and approached the said apprehended persons and disclosed my identity as Police Officer of Matigara Police Station and disclosed the identities of the police team accompanying me.

On being asked both the apprehended persons could not produce their identity card before the Police team and disclosed their identity as (1) Avijit Roy @ Ravan (26 yrs) S/O Binod Chandra Roy of New Rangia, near Army Gate, PO- New Rangia, PS- Matigara, Dist- Darjeeling (not verified) and (2) Jiban Jyoti Roy @ Piklu (33) S/O Harshnat Roy of New Rangia, near Army Gate, PO- New Rangia, PS- Matigara, Dist- Darjeeling ( not verified). We informed them that we had specific source information that they had in their possession a huge quantity of "narcotic substances" and that we intended to search them and their Scooty that they were using. Initially they denied having any such type of "Narcotic substances" with them and inside their Scooty. But I told them that we would search their person and their Scooty. Eventually they admitted that they had in their possession narcotic substances inside their Scooty and was waiting for their customer to deliver the same. They also stated that they had procured the same from one person from elsewhere in Siliguri area for selling the same to their customers at Matigara area illegally for their wrongful gain.

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

I then sent ASI Sanjay Basunia with a requisition to Special Executive Magistrate, Shri Manish Yadav, ACP (Investigation Unit) SPC, requesting him to come to the spot for supervising the process of search and seizure.

At around 14:50 hours, ASI Sanjay Basunia returned at the spot along with Special Executive Magistrate, Shri Manish Yadav ACP (Investigation Unit) SPC. As per provision of NDPS Act Shri Manish Yadav disclosed his identity as Special Executive Magistrate to the detained persons as well as the independent witnesses telling 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 persons namely (1) Avijit Roy @ Ravan and (2) Jiban Jyoti Roy @ Piklu observing all formalities and recovered one mobile phone from one Jiban Jyoti Roy @ Piklu and wearing apparels. Then being instructed they open the container (diki) of their Scooty and we searched and recovered one Saffron Colour Carry Bag containing the following contraband articles:

SI. No. 1

1. Forty two (42) pieces of vials of LUPIGESIC Injection composition with Buprenorphine Hydrochloride 1P equivalent to Buprenorphine 0.3 mg each vials containing 02 ML (Total 84 ML) and Marked as Exhibit-"A".
2. Forty two (42) pieces of vials of PHENERGAN Injection composition with Promethazine IP 25 mg, Hydrochloride 1P 25mg each vials containing 02 ML (total 84 ML) and Marked as Exhibit-"B"
3. Forty two (42) pieces of vials of DIAZEPAM Injection composition with Diazepam 1P 5mg each vials containing 02 ML (total 84 ML) and Marked as Exhibit-"C".

On being asked by Special Executive Magistrate they were unable to produce any document/license in support of that "Narcotic Substances" that was in their possession. They both confessed that they were carrying this business illegally and used to procure it from elsewhere and used to sell it to their customers for their wrongful gain and they were waiting for their designated customer when the police team reached at the spot.

As instructed by Special Executive Magistrate I, seized all the above recovered articles along with Scooty under proper seizure list in presence of the above noted independent witnesses and the accused persons and duly signed by the witnesses and the accused persons on the seizure list. I also then labeled and sealed the "Exhibit-A", "Exhibit-B", "Exhibit-C" and "Exhibit-D" in presence of the Special Executive Magistrate, independent witnesses and the accused persons. The seizure was made in between 15:05 hr to 16:20 hrs. The whole process of search and seizure was videographed by the videographer.

I, then arrested the detained accused persons (1) Jiban Jyoti Roy @ Piklu (33) S/O Harshnat Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling ( not verified) and (2) Avijit Roy @ Ravan ( 26 yrs) S/O Binod Chandra Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling (not verified) under proper Memo of Arrest for violating the terms and condition of the NDPS Act, after observing all guidelines of Apex Court. Accordingly ground of arrest was duly communicated to them.

Under the above circumstances, I pray that a specific case under proper section of law may kindly be started against the accused persons named (1) Jiban Jyoti Roy @ Piklu (33) S/O Harshnat Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling ( not verified) and (2) Avijit Roy @ Ravan ( 26 yrs) S/O Binod Chandra Roy of New Rangia near Army Gate PO- New Rangia, PS- Matigara, Dist- Darjeeling (not verified) and arrange for its investigation.

Yours faithfully,

*Lepcha* 14/04/23  
(SI Agen Lepcha)  
Matigara PS / SPC

Enclosure:

1. Original Memo of Arrest.
2. Original seizure list with seized articles.
3. Original Inspection Memo and other related documents.