

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



1. District: SPC P.S. Matigavea Year: 2023 FIR No. 341/23 Date: 06/05/23
2. i) Act: 20(b)(ii)(b)/29 ii) Act: Sections: (iii) Act: Sections: (iv) Others Acts & Sections:

3. (a) Occurrence of Offence: Day: Date From: 06/05/23 Date To: 06/05/23
Time Period: Time From: 16:45 hrs Time To: 17:35 hrs
(b) Information received at P.S. Date: 06/05/23 Time: 19:10 hrs
(c) General Diary Reference: Entry No(s): 294 Time: 19:10 hrs:

4. Type of Information: Unwritten Written / Oral
5. Place of Occurrence: (a) Direction and Distance from P.S.: Beat No.:
(b) Address: Parimal Nagar, near Matigavea Tea Estate ps-Matigavea 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: LSI Subarna Rauth
(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: Matigavea P.S. SPC

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary):
1. Madhavi Das (18) w/o Digen Das of Pella Adabari, Babumbanga PS- Sitali Dist. Cook behar and 2. Hari of Siliguri

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary):
I. One blue colour plastic packet contains Ganja approx 10.22 kg
II. one black colour Motorola keypad mobile phone.

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 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. Md. Sanullah to take up investigation / refused investigation / transferred to P.S.: Officer-in-Charge Matigavea Police Station 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: Noted in original Complaint. Signature of the Officer-in-Charge, Police Station Matigavea Name: Sanullah

15. Date & Time of despatch to the court: on 07/05/23 at 11:10 hrs Rank: No.



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

Received on 06/05/23 at 19:10 hrs vide
MTG PS GDE NO-221 and stated M/S
PS case NO-21/23 dtw. 06/05/23 D/S 20(b)
(ii)(b) of the NDPS Act. and endorsed
to SI Md Canaullah for his investigation

Sub: F.I.R

[Signature]
06/05/23
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

Sir,

In producing herewith One (01) arrested female accused person namely Madhabi Das (48 yrs) W/O Dijen Das of Petla Adabari, PO- Baburdanga, PS- Sitai, Dist- Cooch Bihar along with the following seized articles, as per seizure list enclosed herewith.

I, LSI Subarna Rauth of Matigara Police Station, Siliguri Police Commissionerate, do hereby lodge this written complaint that today on 06/05/2023 at 14:25 hours, a source information was received that one lady is possessing huge quantity of Narcotic substance said to be "ganja" at Parimalnagar under Matigara PS illegally for selling the same to her designated customers for her wrongful gain.

This was diarized vide Matigara PS GDE No. 282 dated 06/05/2023. 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 Agen Lepcha, ASI Sanjay Basunia, C/1053 Paresh Rava, C/219 Sanatan Chitrakar, C/974 Mintu Sen L/C 1316 Chandana Paul and CV/ 643 Animesh Roy all of Matigara PS, Siliguri Police Commissionerate, left for Parimalnagar under Matigara PS by Govt. vehicle vide GDE NO 283 dated 06/05/2023 and MCC No 975 dated 06/05/2023 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 14:50 hours, we reached at Parimalnagar, beside Matigara Tea Estate under Matigara PS, and called two independent witnesses namely (1) Deepak Sarkar (31) s/o Ganesh Sarkar (2) Krishna Sarkar (22) s/o Ganesh Chandra Sarkar both of Parimalnagar, 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. I 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 Parimalnagar, P.S Matigara, Dist. Darjeeling.

LSI Subarna Rauth
06/05/23

Then being shown and identified by my source we proceeded towards Parimalnagar, beside Matigara Tea Estate. We saw a lady standing beside the road at Parimalnagar, near Matigara Tea Estate with one white color carry bag on her right hand which contained some articles. On seeing the police team, she 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, she disclosed her identity as Madhavi Das (48 yrs) W/O Dijen Das of Petla Adabari, PO- Baburdanga, PS- Sitai Dist- Cooch Bihar (not verified). We informed her that we had specific information that she had in her possession a huge quantity of narcotic substance said to be "ganja" and that we intended to search her and the carry bag that she was carrying. Initially she denied having any "Ganja" with her and that the bag contained other articles. But I told her that we would search her in person with the help of lady police and the bag she was carrying. Eventually she admitted that the bag contained "Ganja" and she was waiting for a customer to deliver the same. She stated that she did not have any license to sell "Ganja" and that she procures the same from Cooch Bihar and then sells the same to her customer namely Hari of Siliguri illegally, for her wrongful gain. It was clear that she was illegally procuring and transporting the "Ganja".

Thereafter I served her a notice giving her the option of "whether she wanted to be searched in presence of Executive Magistrate or by any Gazette Officer". To this, she 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 Sanjay Basunia of Matigara PS with a requisition to Special Executive Magistrate, Shri Narendra Kalicotay, ACP (SB) SPC, requesting him to come to the spot for supervising the process of search and seizure.

At around 16:35 hours, ASI Sanjay Basunia returned at the spot along with Special Executive Magistrate, Shri Narendra Kalicotay, ACP (SB) SPC. Thereafter he disclosed his identity as Special Executive Magistrate, to the detained person as well as to 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 person Madhhavi Das, observing all formalities, but nothing could be recovered from her person except wearing apparels. Then the bag was searched and then following articles were found inside the bag as given below:-

1. One (01) blue color plastic packet which contained suspected "Ganza" like substance weighing approximately 10 Kg, 220 grams marked as "Exhibit-A".
2. One (01) black color Motorola keypad mobile phone having IMEI No. 353400274692214/353400274632222 along with Airtel sim bearing no. 9635700647 marked as "Exhibit-B".
3. One white color carry bag which contains "Exhibit-A".

LSI Subarna Lauth

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Then being

As directed by Shri Narendra Kalicotay, ACP (SB) SPC, with the help of digital weighing machine, I weighed the plastic packet with its content. The Plastic Packet was weighed approximately 10 Kg 220 Grams and marked it as Exhibit- "A" and the keypad Motorola mobile phone has been marked it as Exhibit "B".

On being asked Madhavi Das was unable to produce any document/license in support of that ganja that was in her possession, when asked for by Shri Narendra Kalicotay, ACP (SB) SPC. She confessed that she was carrying on this business illegally. She used to procure it from elsewhere of Cooch Bihar and used to sell it to her customers for his wrongful gain and that she was waiting for his designated customer when the police team reached at the spot.

As instructed by Shri Narendra Kalicotay, ACP (SB) 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 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 16:45 hours to 17:35 hours. The whole process of search and seizure was videographed by the videographer.

Madhavi Das (48 yrs) W/O Dijen Das of Petla Adabari, PO- Baburdanga, PS- Sitai Dist- Cooch Bihar confessed before the Special Executive Magistrate and other witnesses that she used to procure Ganja clandestinely from elsewhere for the purpose of selling the same in high rate to her designed customers for her wrongful gain by illegal means and that she was doing this for a long time.

I, then arrested Madhavi Das (48 yrs) W/O Dijen Das of Petla Adabari, PO- Baburdanga, PS- Sitai Dist- Cooch Bihar under proper Memo of Arrest for violating the terms and condition of the NDPS Act, after observing all guidelines of Apex Court. Her ground of arrest was duly communicated to her.

Under the above circumstances, I pray that a specific case under proper section of law may kindly be started against the accused persons named Madhavi Das (48 yrs) W/O Dijen Das of Petla Adabari, PO- Baburdanga, PS- Sitai Dist- Cooch Bihar and Hari of Siliguri and arrange for its investigation.

Yours faithfully,
LSI. Subarna Rauth
(LSI Subarna Rauth)
Matigara PS / SPC

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