

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

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1. Dist. SPC P.S. Praduanagar Year 2023 FIR No. 557/23 Date 28/07/232. i) Act. 21(8), 22(4), 27A, 29 of NDPS Act Sections 21(8), 22(4), 27A, 29 of NDPS Actii) Act. Sections iv) Others Acts & Sections Sections3. (a) Occurrence of offence : Day 02 Date From 28/07/23 Date To 28/07/23Time Period 15:15 hrs to 16:30 hrs Time From 15:15 hrs Time To 16:30 hrs(b) Information received at P.S. Date 28/07/23 Time 17:10 hrs(c) General Diary Reference : Entry No (s) 1763 Time 17:10 hrs4. Type of Information Written Written / Oral Written5. Place of Occurrence : (a) Direction and Distance from P.S. South, 1 1/2 Km Beat No. (b) Address Near Siliguri Junction Bus Stand entry gatePS - Praduanagar Dm Dooching

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant :

(a) Name SI Abhishek Tueong(b) Father's / Husband's Name Suchandra Kumar Tueong(c) Date / Year of Birth 32 years (d) Nationality Indian(e) Passport No. Date of Issue Place of Issue (f) Occupation Service in West Bengal Police(g) Address Praduanagar PS, SPC

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

(Attach separate sheet, if necessary) :

1. Shilpi Dutta @ Rik (28) s/o Indrajit Dutta of Champali Anchal near Kailash PS Praduanagar, Dooching
2. Talash Mahato (30) s/o Shanti Mahanta of Tropoljote, Nema, Barakha, Mangra, Dooching. Rohit Pradhan & Md. Munir.

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

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

14 bottles of Chlorpheniramine Maleate & Godine Phosphate Syrup Stashed as REXDRYL MED having batch No 010720-MBII, Mfg Date-7/2020 Expiry date 06/2022 & MRP Rs. 125.00 Per bottle, each bottle containing 100ml. Recovered and Seized from Mr. Indrajit Mahanta while was found in the blue colour scooter st
as was TV's, Laptop, Rang Reg to WB 74847477

10. Total value of properties stolen / involved Continue over leaf11. Inquest Report / U.D. Case No. If any Continue over leaf

12. FIR Contents (Attach separate sheets, if required) :

The original written complain of the complainant which is treated as FIR is enclosed herewith.

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 Asit Saha to take upinvestigation / 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.

14. Signature / Thumb impression of the Complainant / Informant

SI Abhishek Tueong

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station

Name Arjun BanerjeeRank Inspector of PolicePraduanagar Police Station
Siliguri Police Commissioner

- b) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXDRYL NEO, having Batch No. 010720-MH11, Mfg. Date, 07/2020; Expiry Date, 06/2022 randomly taken from Exhibit A and taken as sample for examination and marked as Exhibit "A-1".
- c) 10 (Ten) bottles of Codeine Phosphate & Tripolidine Hydrochloride Syrup styled as APDYL-T having Batch No. 23001-SAP1, Mfg. Date - Feb 2023, Exp. Date Jan. 2025, Price of each bottle Rs. 136.50, each bottle containing 100 ml recovered and seized from the joint and conscious possession of Shilajit Dutta and Palash Mahanta, which was found in one black and blue colour scooter styled as TVS JUPITER having Reg. No WB 74 BK 7479 and marked as "Exhibit- B".
- d) One (01) bottle of Codeine Phosphate & Tripolidine Hydrochloride Syrup styled as APDYL-T having Batch No. 23001-SAP1, Mfg. Date - Feb 2023, Exp. Date Jan. 2025 randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1".
- e) 05 (Five) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as COUGREX, having Batch No. 010523-bbh2, Mfg. Date, May 2023, Exp. Date, April 2025, Price of each bottle Rs. 159.75, each bottle containing 100 ml, recovered and seized from the joint and conscious possession of Shilajit Dutta and Palash Mahanta, which was found in one black and blue colour scooter styled as TVS JUPITER having Reg. No WB 74 BK 7479 and marked as "Exhibit- C".
- f) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as COUGREX, having Batch No. 010523-bbh2, Mfg. Date, May 2023, Exp. Date, April 2025 randomly taken from Exhibit C and taken as sample for examination and marked as Exhibit "C-1".
- g) One Blue colour Scooty styled as TVS JUPITER having number pasted as WB 74 BK 7479.

Inspector in Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate



The Inspector-In-Charge,
Pradhan Nagar Police Station,
Siliguri Police Commissionerate.

Sub: - F.I.R

Respected Sir,

In producing herewith two (02) arrested accused persons namely (i) Shilajit Dutta @ Rik (28) s/o Indrajit Dutta of Champasari Anchal, near Kali Mandir, PO+PS Pradhan Nagar, Dist. Darjeeling and (ii) Palash Mahanto (30) s/o Lt. Shanti Mahanto of Tripalijote, Nema, Baniakhari, PS Matigara, Dist. Darjeeling along with the following articles under proper seizure as per seizure list;

- 14 (Fourteen) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXDRYL NEO, having Batch No. 010720-MB11, Mfg. Date. 07/2020; Expiry Date. 06/2022 & M.R.P. Rs. 125.00 per bottle, each bottle containing 100 ml, recovered and seized from the joint and conscious possession of Shilajit Dutta @ Rik and Palash Mahanta, which was found in one blue colour scooty styled as TVS JUPITER having Reg. No. WB 74 BK 7479 and marked as "Exhibit- A."
- One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXDRYL NEO, having Batch No. 010720-MB11, Mfg. Date. 07/2020; Expiry Date. 06/2022 randomly taken from Exhibit A and taken as sample for examination and marked as Exhibit "A-1".
- 10 (Ten) bottles of Codeine Phosphate & Tripolidine Hydrochloride Syrup styled as APDYL-T having Batch No. 23001-SAP1, Mfg. Date - Feb 2023, Exp. Date Jan. 2025, Price of each bottle Rs. 136.50, each bottle containing 100 ml, recovered and seized from the joint and conscious possession of Shilajit Dutta @ Rik and Palash Mahanta, which was found in one black and blue colour scooty styled as TVS JUPITER having Reg. No WB 74 BK 7479 and marked as "Exhibit- B."
- One (01) bottle of Codeine Phosphate & Tripolidine Hydrochloride Syrup styled as APDYL-T having Batch No. 23001-SAP1, Mfg. Date - Feb 2023, Exp. Date Jan. 2025 randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1".
- 05 (Five) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as COUGREX, having Batch No. 010523-bbh2, Mfg. Date. May 2023, Exp. Date. April 2025, Price of each bottle Rs. 159.75, each bottle containing 100 ml, recovered and seized from the joint and conscious possession of Shilajit Dutta @ Rik and Palash Mahanta, which was found in one black and blue colour scooty styled as TVS JUPITER having Reg. No WB 74 BK 7479 and marked as "Exhibit- C."
- One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as COUGREX, having Batch No. 010523-bbh2, Mfg. Date. May 2023, Exp. Date. April 2025 randomly taken from Exhibit C and taken as sample for examination and marked as Exhibit "C-1".
- One Blue colour Scooty styled as TVS JUPITER having Reg. No. WB 74 BK 7479.

I, SI Abhishek Theengh (32), S/O- Suchandra Kumar Theengh of Pradhan Nagar Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused persons namely (i) Shilajit Dutta @ Rik (28) s/o Indrajit Dutta of Champasari Anchal, near Kali Mandir, PO+PS Pradhan Nagar, Dist. Darjeeling and (ii) Palash Mahanto (30) s/o Lt. Shanti Mahanto of Tripalijote, Nema, Baniakhari, PS Matigara, Dist. Darjeeling to the effect that on 28.07.2023 at about 14.30 hrs, I received a specific source input that two persons possessing huge quantity of Codeine Phosphate Syrup based drugs was standing with one scooty near Siliguri Junction Bus stand, Entry gate under Pradhan Nagar PS to sell the same to their designed local customers. The matter was diarized in Pradhan Nagar PS GDE No. 1758/23 Dt. 28.07.2023. Subsequently, I informed the matter to you on written and with your prior permission and being directed, myself along with ASI Manoj Kumar Roy, ASI Biplab Kumar Das, CV/242 Rakesh Mangar, CV/223 Swapan Chettri, CV/645 Pankaj Gupta all of Pradhan Nagar PS, SPC, , after being contacted to the Videographer Somnath Chatterjee S/O Sushil Chatterjee of Arubindo Pally, P.O.- Rathkhola, P.S. - Siliguri, Dist. - Darjeeling and with investigation kit left for Siliguri Junction bus stand, Entry gate under Pradhan Nagar PS by Govt. vehicle to verify the veracity of the information. This refers to Pradhan Nagar PS GDE No. 1759/23 Dt. 28.07.2023 and M.C.C No- 1862 Date- 28.07.2023.

Under this circumstance any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

After reaching near Siliguri Junction Bus Stand, Entry gate under Pradhan Nagar at around 14.45 hrs, I requested two persons as independent witness by notice namely (1) Ranjit Das (34) s/o Bihari Das of Rajendra Nagar Colony, Coolie Para, PS Pradhan Nagar, Dist. Darjeeling and (2) Bapi Baidya (28) s/o Lt. Bikram Baidya of Ghora Bari, Bhola more, PS Bhaktinagar, Dist. Jalpaiguri and made them aware of the information in hand and requested them to act as witness, if any search and seizure would be made necessary upon which they agreed and thereafter being pointed by my source detained 02 (Two) persons mentioned above who were on the above mentioned scooty and was ready to move from near Siliguri Junction bus stand, entry gate under Pradhan Nagar PS. Thereafter, we disclosed our identity and the information in hand and stated them that they as well as the scooty under their possession will be searched for the purpose. And, I gave them option in writing to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which they agreed to be searched in presence of any one of the above.

I also offered the independent witnesses and the accused persons to search our Police Party as per provisions but they did not search the police party.

SI Abhishek Theengh
28/07/2023

Received on 28/7/23 vide PDM PS Ude No- 1223
Dt 28/7/23 and started PDUTS case No
557/23 Dt 28/7/23 U/s 21(c)/22(c)/27A/27 of
NDPS Act and referred to SI ASIT Saha for
ITS investigation.

28/7/23 Inspector-In-charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Consequently, I informed the matter to you and as per your kind order, I informed to Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC for the day, regarding the interception of the accused persons suspected to be possessed Codeine Phosphate Syrup based drugs illegally and requested him to come near Siliguri Bus Stand, Entry gate under Pradhan Nagar PS to remain present and to supervise the search and seizure.

Accordingly at 15.10 hrs Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot near Siliguri Bus Stand, Entry gate under Pradhan Nagar PS as Special Executive Magistrate, SPC and in presence of two independent witnesses and hereafter I searched the detained persons and the Scooty under their possession following all formalities, keeping their decency and recovered the above noted articles from the Scooty styled as TVS JUPITER having Reg No. WB 74 BK 7479 which was under the joint possession of the accused persons namely (i) Shilajit Dutta @ Rik (28) s/o Indrajit Dutta of Champasari Anchal, near Kali Mandir, PO+PS Pradhan Nagar, Dist. Darjeeling and (ii) Palash Mahanto (30) s/o Lt. Shanti Mahanto of Tripalijote, Nema, Baniakhari, PS Matigara, Dist. Darjeeling.

Further, on demand in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC, the detained persons namely Shilajit Dutta and Palash Mahanto, on being asked, failed to produce any valid documents/papers or explanation for possessing of such a huge quantity of Codeine phosphate syrup-based drugs beyond the prescribed limit.

Thereafter, I seized (i) 14 (Fourteen) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXDYL NEO, having Batch No. 010720-MB11, Mfg. Date. 07/2020; Expiry Date. 06/2022 & M.R.P. Rs. 125.00 per bottle, each bottle containing 100 ml, (ii) 10 (Ten) bottles of Codeine Phosphate & Tripolidine Hydrochloride Syrup styled as APDYL-T having Batch No. 23001-SAP1, Mfg. Date - Feb 2023, Exp. Date Jan. 2025, Price of each bottle Rs. 136.50, each bottle containing 100 ml, (iii) 05 (Five) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as COUGREX, having Batch No. 010523-BBH2, Mfg. Date. May 2023, Exp. Date. April 2025, Price of each bottle Rs. 159.75, each bottle containing 100 ml which was recovered inside the seat of one blue colour scooty styled as TVS JUPITER having Reg. No. WB 74 BK 7479, under their joint possession under proper seizure list in presence of independent witnesses and Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC obtaining their signature and being acknowledged by the accused persons.

Subsequently, I labelled and sealed the seized articles in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused persons namely Shilajit Dutta @ Rik and Palash Mahanto. The whole process of seizure was made in between 15.15 hrs to 16.30 hrs with proper videography.

Being further asked, the apprehended persons namely Shilajit Dutta @ Rik and Palash Mahanto admitted in presence of Shri Manish Kumar Yadav, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that they have procured Codeine Phosphate Chlorpheniramine Maleate Syrup clandestinely for the purpose of selling the same in high rate to their designed local customers for their personal gain by illegal means. On further being asked, they also disclosed that they have been dealing in this business of procuring and selling of Codeine Phosphate Chlorpheniramine Maleate Syrup based drugs illegally for last few months for their wrongful gain along with their co-associates namely Rohit Pradhan of Milan More, PS Pradhan Nagar, Dist. Darjeeling and Md. Munna of Champasari, PS Pradhan Nagar, Dist. Darjeeling who has been chiefly selling in Siliguri and Darjeeling and its adjacent areas who has been chiefly selling in Siliguri and its adjacent areas

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely Shilajit Dutta @ Rik and Palash Mahanto is involved in procuring and selling Codeine phosphate based drugs illegally contravening the norms of NDPS Act.

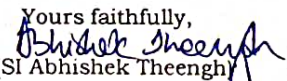
Then, I arrested the above noted accused persons namely Shilajit Dutta @ Rik and Palash Mahanto after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest at 16.32 hrs and 16.34 hrs respectively.

Under the above circumstances, I pray to you that a specific case under proper section of law may kindly be started against the accused persons namely (i) Shilajit Dutta @ Rik (28) s/o Indrajit Dutta of Champasari Anchal, near Kali Mandir, PO+PS Pradhan Nagar, Dist. Darjeeling and (ii) Palash Mahanto (30) s/o Lt. Shanti Mahanto of Tripalijote, Nema, Baniakhari, PS Matigara, Dist. Darjeeling, Rohit Pradhan of Milan More, PS Pradhan Nagar, Dist. Darjeeling and Md. Munna of Champasari, PS Pradhan Nagar, Dist. Darjeeling and arrange for its investigation.

Enclosures:

i) Original Memo of Arrests.

ii) Original Seizure list along with Seized articles and other Relevant Papers.

Yours faithfully,

 (Shri Abhishek Theengh)
 Pradhan Nagar Police Station
 Siliguri Police Commissionerate

28/07/23