



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

1. P.S. Pradhan Nagar Year 2023 FIR No. 565/23 Date 30/07/23.

2. Sections 21(0), 22(0), 27A(1), 29 of NDPS Act Sections

3. (a) Occurrence of offence : Day Date 07 30/07/23 Date To Time Period 10 between 22:40 hrs to 23:25 hrs.

(b) Information received at P.S. Date 30/07/2023 Time 23:35 hrs.

(c) General Diary Reference : Entry No (s) 1875. Time 23:35 hrs.

4. Type of Information Written. Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. West, 1 km Beat No. -

(b) Address Near Nobel's Academy English Medium School, Masjid More, Champabari PS- Pradhan Nagar, Dist- Durgajung.

6. Complainant / Informant : (a) Name SI Satish Ruchal.

(b) Father's / Husband's Name Shyam Kumar Ruchal

(c) Date / Year of Birth - (d) Nationality Indian

(e) Passport No. - Date of Issue - Place of Issue -

(f) Occupation Service in West Bengal Police.

(g) Address Pradhan Nagar PS under S.P.C.

7. Details of known / suspected / unknown accused with full particulars (Attach separate sheet, if necessary) : Rohit Kumar Yadav (36) s/o Sankar Yadav of New Bokajore PS Pradhan Nagar Dist Durgajung and others.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) : One black carry bag styled as Pram containing 13 bottles of Chlorpheniramine maleate & Codeine Phosphate Syrup styled as REXLEY having Batch No MB 4751 Mfg Date 09/22 Expiry Date 02/24 MRP Rs. 145 Per bottle containing total recovered and seized from the possession of Rohit Kumar Yadav and marked as Exhibit B.

10. Total value of properties stolen / involved

11. Inquest Report / U.D. Case No. If any - On Fine made

12. FIR Contents (Attach separate sheets, if required) : The original written Complaint 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 Anishek Thengh to take up 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

15. Date & Time of despatch to the court : 02 31/07/23

Signature of the Officer-in-Charge, Police Station Name: Anirban Bhattacharya Rank: No. 198 of Police Inspector-in-Charge Pradhan Nagar Police Station Siliguri Police Commissionerate

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

Sub: - F.I.R

Sir,

In producing herewith one (01) arrested accused persons namely (i) Rohit Kumar Yadav (M/36 Yrs), S/o Sankar Yadav of New Pokajote, PS Pradhannagar, Dist. Darjeeling along with the following articles under proper seizure as per seizure list;

- a) One black Carry bag styled as Pran, containing 13 (Thirteen) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXLEY®, having Batch No. MB-4751, Mfg. Date. 09/2022; Expiry Date. 08/2024 & M.R.P. Rs. 145.00 per bottle, each bottle containing 100 ml, recovered and seized from the conscious possession of Rohit Kumar Yadav and marked as "Exhibit- A".
- b) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup having Batch No. MB-4751, Mfg. Date. 09/2022; Expiry Date. 08/2024 & M.R.P. Rs. 145.00 per bottle, containing 100 ml randomly taken from Exhibit A and taken as sample for examination and marked as Exhibit "A-1".
- c) One black Carry bag styled as Pran containing Nine (09) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as Ongreex, having Batch No. 060822-SP7, Mfg. Date. AUG 2022; Expiry Date. Jul 2024 & M.R.P. Rs. 154.50 per bottle, each bottle containing 100 ml, recovered and seized from the conscious possession of Rohit Kumar Yadav and marked as "Exhibit- B".
- d) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as Ongreex, having Batch No. 060822-SP7, Mfg. Date. AUG 2022; Expiry Date. Jul 2024 & M.R.P. Rs. 154.50 per bottle, containing 100 ml randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1".

I, SI Satish Ruchal (29 Yrs), S/O- Shyam Kumar Ruchal of Pradhan Nagar Police Station, Siliguri Police Commissionerate do hereby lodge this written complaint against the above noted accused person namely (i) Rohit Kumar Yadav (M/36 Yrs), S/o Sankar Yadav of New Pokajote, PS Pradhannagar, Dist. Darjeeling to the effect that on 30.07.2023 at about 21:57 hrs, I received a specific source input that person possessing huge quantity of Codeine Phosphate Syrup based drugs standing at Masjid Road to sell the same to his designed local customers. The matter was diarized in Pradhan Nagar PS GDE No. 1867/23 Dt. 30.07.2023. Subsequently, I informed the matter to you on written and with your prior permission and being directed, myself along with SI Abhishek Theeng, C/762 Majibur Rahaman, CV/646 Baban Dasd, 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 Masjid Road, Champasari under Pradhan Nagar PS by Govt. vehicle to verify the veracity of the information. This refers to Pradhan Nagar PS GDE No. 1869/23 Dt. 28.07.2023 and M.C.C No-1879 Date- 30.07.2023.

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 Nobel's Academy English Medium School, Masjid Road, Champasari under Pradhan Nagar PS, Dist: Darjeeling at around 22:15 hrs, I requested two persons as independent witness by notice namely (1) Shivam Prasad (M/20 Yrs) s/o Lt. Shiv Nath Prasad of Champasari, Masjid Road, PS Pradhan Nagar, Dist. Darjeeling and (2) Dinesh Gurung (M/Yrs) S/o Kalu Gurung, of Ratan Lal Busty, PS Pradhannagar, Dist. Darjeeling and made them aware of the information in hand and requested them to act as witnesses, if any search and seizure would be made necessary upon which they agreed and thereafter being pointed by my source detained 01 (One) person mentioned above who was on the above place and was ready to move from near Nobel's Academy English Medium School, Masjid Road, Champasari under Pradhan Nagar PS, Dist: Darjeeling. Thereafter, we disclosed our identity and the information in hand and stated him that he 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.

Consequently, I informed the matter to you and as per your kind order, I informed to Shri Rajen Chettri, 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 person suspected to be possessed Codeine Phosphate Syrup based drugs illegally and requested him to come near Nobel's Academy English Medium School, Masjid Road, Champasari under Pradhan Nagar PS to remain present and to supervise the search and seizure.

Accordingly at 22:35 hrs Shri Rajen Chettri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC arrived at the spot near Nobel's Academy English Medium School, Masjid Road, Champasari under Pradhan Nagar PS as Special Executive Magistrate, SPC and in presence of two independent witnesses and hereafter I searched the detained person following all formalities, keeping his decency and recovered the above noted articles from the possession of the accused person namely Rohit Kumar Yadav (M/36 Yrs), S/o Sankar Yadav of New Pokajote, PS Pradhannagar, Dist. Darjeeling.

Further, on demand in presence of Shri Rajen Chettri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC, the detained person namely Rohit Kumar Yadav, 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) One black Carry bag styled as Pran containing 13 (Thirteen) bottles of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as REXLEY®, having Batch No. MB-4751, Mfg. Date. 09/2022; Expiry Date. 08/2024 & M.R.P. Rs. 145.00 per bottle, each bottle containing 100 ml, recovered and seized from the conscious possession of Rohit Kumar Yadav and marked as "Exhibit- A". (ii) One black Carry bag styled as Pran containing Nine (09) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as Ongreex, having Batch No. 060822-SP7, Mfg. Date. AUG 2022; Expiry Date. Jul 2024 & M.R.P. Rs. 154.50 per bottle, each bottle containing 100 ml, recovered and seized from the conscious possession of Rohit Kumar Yadav and marked as "Exhibit- B". under proper seizure list in presence of independent witnesses and Shri Rajen Chettri, 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 Rajen Chettri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, SPC and independent witnesses and the accused person namely Rohit Kumar Yadav. The whole process of seizure was made in between 22:40 hrs to 23:25 hrs with the videography.

Being further asked, the apprehended person namely Rohit Kumar Yadav admitted in presence of Shri Rajen Chettri, Assistant Commissioner of Police, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate of SPC and other independent witnesses that he have procured Codeine Phosphate Chlorpheniramine Maleate Syrup clandestinely for the purpose of selling the same in high rate to their designed local customers for his personal gain by illegal means. On further being asked, he also disclosed he have been dealing in this business of procuring and selling of Codeine Phosphate Chlorpheniramine Maleate Syrup based drugs illegally for last few months along with co-associates for their wrongful gain who has been chiefly selling in Siliguri and its adjacent areas.

Then, I arrested the above noted accused person namely Rohit Kumar Yadav (M/36 Yrs), S/o Sankar Yadav of New Pokajote, PS Pradhannagar, Dist. Darjeeling after observing all formalities and informing the ground of his arrest and issued necessary Memo of Arrest at 23:28 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 person namely (i) Rohit Kumar Yadav (M/36 Yrs), S/o Sankar Yadav of New Pokajote, PS Pradhannagar, Dist. Darjeeling who has been chiefly selling in Siliguri and adjacent areas 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,

SI Satish Ruchal
30/01/2023

(SI Satish Ruchal)
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Received on 30/1/23 vide PDM PS
CDE NO 1875 on 30/1/23 at
23:35 hrs and started PDM PS
Case no 565/22 dt 30/1/23 U/S
21(A)/22(C)/27A/29 of NDPS Act and
referred to SI Abhishek Turegh
for his investigation.

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30/1/23

Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Case No. 09.

- b) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup having Batch No. MB-4751, Mfg. Date. 09/2022; Expiry Date. 08/2024 & M.R.P. Rs. 145.00 per bottle, containing 100 ml randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "A-1".
- c) One black Carry bag styled as Pran containing Nine (09) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as Onereex, having Batch No. 060822-SP7, Mfg. Date. AUG 2022; Expiry Date. Jul 2024 & M.R.P. Rs. 154.50 per bottle, each bottle containing 100 ml, recovered and seized from the conscious possession of Rohit Kumar Yadav and marked as "Exhibit- B".
- d) One (01) bottle of Chlorpheniramine Maleate & Codeine Phosphate Syrup styled as Onereex, having Batch No. 060822-SP7, Mfg. Date. AUG 2022; Expiry Date. Jul 2024 & M.R.P. Rs. 154.50 per bottle, containing 100 ml randomly taken from Exhibit B and taken as sample for examination and marked as Exhibit "B-1".

30/8/23