

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



1. P.S. Matigara Year 2023 FIR No. 649/23 Date 09/08/2023

2. Sections 21(c) ii) Act. no Sections no

(iii) Sections no (iv) Others Acts & Sections no

3. (a) Occurrence of Offence : Day 09/08/2023 Date From 09/08/2023 Date To 09/08/2023

Time Period 19:30 hrs Time From 19:30 hrs Time To 20:55 hrs

(b) Information received at P.S. Date 09/08/2023 Time 23:25 hrs

(c) General Diary Reference : Entry No(s) 644 Time 23:25 hrs

4. Type of Information : Written Written / Oral

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

(b) Address Office cum Barrack, Prisoner Cell, NRMCH, PS-Matigara, Dist- Darjeeling

(c) In case outside limit of this Police Station, then the Name of the P.S. N/A District Dist- Darjeeling

6. Complainant / Informant :

(a) Name SI Kamlesh Jondan

(b) Father's / Husband's Name no

(c) Date / Year of Birth : no (d) Nationality Indian

(e) Passport No. no Date of Issue : no Place of Issue no

(f) Occupation Govt. Employee (SI of Police, W.B.P.)

(g) Address NJP PS. SPC.

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

(Attach separate sheet, if necessary) :
Md. Mobarak Ali, s/o- Lt. Md. Fairuddin of Bakirgaoh, P- Phansidewa, Dist- Darjeeling.

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

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

One transparent plastic packet containing brown coloured substance (stick) weighing 305 gram suspected to be Brown Sugar, marked as "Exhibit-B".

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 reproduced overleaf.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2, SI Maheswar Ch. Paul registered the charge and took up the investigation / directed SI Maheswar Ch. Paul Matigara Police Station to take up investigation / refused investigation / transferred to P.S. no Siliguri Police Commission 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 Noted in original Complaint. Signature of the Officer-in-Charge, Police Station 09/08/23 Matigara Police Station Arjun Dashe Siliguri Police Commission

15. Date & Time of despatch to the court : On 10/08/23 at 11:00 hrs. Rank : Officer-in-Charge, NJP, PS. SPC.



To
The Officer
N.B.M.C. OP
Under Matigara P.S.

Sub :- F.I.R.

Sir,

In producing herewith following seized articles under proper seizure list along with all relevant document :

- (1) One yellowish sealed Paper envelope, containing ne transparent plastic packet which contains 305 grams (approx) said to be Brown Sugar recovered from the possession of P.C. accused namely Md. Mobarak Ali S/O Lt. Md. Fainuddin of Bairgachh, P.S.- Phansidewa, Dist.- Darjeeling and marked as "Exhibit-B".

In this regard I beg to report that acting on a source input, on 01/08/23 in between 1415 hrs to 1525, SI Pradeep Diyali of New Jalpaiguri Police station, Siliguri Police Commissionerate seized (i) One transparent Packet containing suspect to be Brown Sugar kept inside the dark green color hand bag, weighing 622 grms, marked as Exhibit-"A" (ii) Total 5,00,000/- (Five Lakh Rupees) cash all are in Rs-500/- (Five Hundred) rupees denomination kept inside the dark green color hand bag. (iii) One Dark green Color hand Bag. (iv) One silver Color Maruti Ritz bearing No.- WB/74U/6440 from the possession of aced Md. Mukit Alam S/O Md. Khalil of Bairgachh, P.S.- Phansidewa, Dist.- Darjeeling also arrested him in presence of independent witness as well as Shri Pasang Topgey Bhutia, Special Executive Magistrate, Siliguri Police Commissionerate. Over the written complaint as lodged by SI Pradeep Diyali NJP P.S. case no. 744/23, Dated 01/08/22 u/s 21(C)/22(C)/23(C) of N.D.P.S. Act was registered and on being endorsed I SI Kamalash Joarder took up it's investigation.

During investigation on the basis of various evidences and as per order of O/C NJP P.S. on 04/08/23 I arrested another aced. Md. Mobarak Ali S/O Lt. Md. Fainuddin of Bairgachh, P.S.- Phansidewa, Dist.- Darjeeling in c/w the case. During investigation, as per my prayer, Ld. Judge, Special Court under N.D.P.S. Act. allowed me 09 (Nine) day Police Remand in r/o of aced Md. Mobarak Ali. Today on 09/08/23, during interrogation P.C. aced Md. Mobarak Ali confessed that he kept some Brown Sugar in his Office/Barrack, Prisoner cell, situated at North Bengal Medical College and Hospital but the key of said premises is now lying in his house. I had strong reason to belive that the statement is true and work out over the statement is required for the purpose of investigation. I allowed my mobile phone to P.C. aced to contact with his family members to bring the key of said premises to NJP P.S. Accordingly the wife of P.C. aced namely Firoja Begam came to P.S. and handed over the key of office/barrack of her husband to the duty officer, NJP P.S. The matter has been diarised vide NJP P.S. vide GDE No. 523, Dated 09/08/23. I informed the matter to O/C NJP P.S. also seek permission to allow me to work out over the confessional statement. (NJP P.S. GDE No. 524, Dated 09/08/23). As allowed by O/C NJP P.S. today on 09/08/23 at 17:45 hrs myself alongwith SI Shyamal Dutta Roy, C/1089 Bablu Das, C/1439 Tapash Roy all of NJP P.S. with P.C. aced Md. Mobarak Ali left from NJP P.S. to work out the information by Govt. vehicle. I took investigation kit, stationary articles, weighing machine with me. I also took the key of said premises from Duty Officer NJP P.S. also handed over the same to P.C. aced Md. Mobarak Ali. This refers to NJP P.S. GDE No. 525, Dated 09/08/23. I also took photographer Nur Islam S/O Allpaddin Sk. of Ghorarbari, Mamatapara, P.S. NJP, Dist - Jalpaiguri with me for necessary videography. First we reached at N.B.M.C. OP, under Matigara P.S. submitted prayer for necessary Police Assistance. SI Maheswar Ch. Paul of NBMC O.P. was detailed to assist us. I contacted with (i) Shri Akramul Hoque S/O Lt. Abdul Jabbar of vill Malgaon, P.S.- Kaliaganj, Dist.- Uttar Dinajpur and (ii) Shri Biswajit Mandal S/O Arjun Mandal of Deogaon, Kanki, P.S. Chakulia, Dist.- Uttar Dinajpur, Both are Grop - D. Employee, Ward Master Office, North Bengal Medical College and Hospital also requested them to be with us as witness if any search or seizure is made. I also

Received on 09.08.2023 at 22:50 hrs.

Vide NBMC O.P GDE No- 252 Forwarded
the original complaint to O/C Matigara
P.S for starting a specific case under
proper section of law.

MAAD
09/08/23
Officer In-Charge
N.B.M.C. & Hospital Police Out Post
P.S. Matigara, SPC

Shankar

31 09.8.23

issued notice to them in this regard, which they accepted and acknowledged by putting their signature on the Notice. Accordingly on 09/08/23 about 18:35 hrs myself alongwith SI Maheshwar Ch. Paul of NBMC O.P., SI Shyamal Dutta Roy, forces of NIP P.S. reached in front of Office/Barrack, Prisoner Cell, NBMC & Hospital. On reaching there we found that the door of said Office cum Barrack is under lock & key. I issued Notice to P.C. accd Mobarak Ali as per law informing him that I am going to search his office/barrack. He may prefer to search his office/barrack in presence of Police Gazetted Officer or in presence of my Executive Magistrate. He directly refused to take notice and denied to put his signature on it. I informed the matter to O/C NIP P.S. over telephone also narrated the whole thing. He directed me to contact with Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC for the day. Accordingly I sent a written requisition through Special messenger to Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC narrating the fact and information in hand also requested him to be present at the spot for acting as Special Executive Magistrate, SPC if any search or seizure is made.

At about 19:15 hrs Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC for the day arrived at the spot. I introduced him before P.C. accd Md. Mobarak Ali as well independent witnesses and police personals present there as Special Executive Magistrate. I offered P.C. accd and independent witnesses to search ourselves before entering into the Office cum Barrack, Prisoner Cell, NBMC & Hospital which they denied. Accordingly I asked P.C. accd Md. Mobarak Ali to open his office/barrack by his own hand. As he opened I SI Kamallesh Joridar, SI Shyamal Dutta Roy, SI Maheshwar Ch. Paul, two independent witnesses and Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC for the day alongwith P.C. accd Md. Mobarak Ali entered into the office/barrack, Prisoner Cell, NBMC & Hospital also started searching. During search I checked all belongings of Md. Mobarak Ali and found nothing doubtful. At last I found one blue coloured bag lying on the bed of P.C. accd Md. Mobarak Ali. I poured all belongings of said bag found nothing doubtful except one transparent plastic packet containing brown coloured sticky substance in it. On asking P.C. accd started crying by stating that the blue coloured bag is not of him.

Accordingly, I weighed the packet by digital weighing machine brought by me, and it stood 205 gram. I seized said transparent plastic packet containing suspected Brown Sugar from the office/barrack of P.C. accd, Md. Mobarak Ali, Prisoner Cell, NBMC & Hospital in presence of Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC for the day and two other independent witnesses. P.C. accd refused to put his signature over the Seizure List. Shri Pasing Tobgey Bhutia, ACP, Traffic, East, detailed as Special Executive Magistrate, SPC for the day and two other independent witnesses put their signature over the Seizure List. After seizure I labeled and sealed the transparent plastic packet by putting it into a yellowish paper envelope also marked as "Exhibit B". Sealed by Gula Wax with my personal metal seal as "K.L., WBP". Search, Seizure and label were done in between 19:30 hrs to 20:55 hrs. The whole process was covered under videography, done by Nur Islam.

Therefore, I pray before your kind honour that a specific case may kindly started against P.C. accd namely (1) Md. Mobarak Ali (43) S/O Lt. Md. Faimuddin of Bahingachhi, PS-Phansidewa, Dist. Barjeeling and to arrange for it's investigation.

Typed by me in the office room of N.B.M.C. OP.

Submitted,

K. L.
SI Kamallesh Joridar

NIP P.S. SPC,
Camp at NBMC O.P.
under Matigara P.S.

Received on 09/08/23 at 23:25 hrs
vide MTG PS GDE NO- 644- AI- 09/08/23
& Shroffed MTG PS case No- 649/23
At- 09/09/23 WS- 21(c) of NDPS Act
& endorsed to SI Maheshwar Ch.
Paul for it's investigation.

K. L.
Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate

vo. . .