

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

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1. Dist. SPC P.S. Matigara Year 2023 FIR No. 695/2023 Date 25/08/2023

2. i) Act. N.D.P.S. Sections 21(b) ii) Act. \_\_\_\_\_ Sections \_\_\_\_\_  
 (iii) Act. \_\_\_\_\_ Sections \_\_\_\_\_ (iv) Others Acts & Sections \_\_\_\_\_

3. (a) Occurrence of Offence : Day \_\_\_\_\_ Date From 25/08/2023 Date To 25/08/2023  
 Time Period \_\_\_\_\_ Time From 19:15 hrs Time To 19:45 hrs.  
 (b) Information received at P.S. Date 25/08/2023 Time 20:35 hrs.  
 (c) General Diary Reference : Entry No(s) 1637 Time 20:35 hrs.

4. Type of Information Written Written / Oral \_\_\_\_\_

5. Place of Occurrence : (a) Direction and Distance from P.S. \_\_\_\_\_ Beat No. \_\_\_\_\_  
 (b) Address Railway underpass near Matigara Tea Estate, 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 Agan 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. Employee, SI of Police (W.B. P)  
 (g) Address Matigara PS, SPC.

7. Details of known / suspected / unknown accused with full particulars  
 (Attach separate sheet, if necessary) :  
① Manish @ Chhotu Rajak s/o- Dilip Rajak of Kalamjete to Kadamtala, PS-Matigara, Dist- DTC. ② Biswanil Sarkar @ Jal s/o- Gopal Sarkar of Bidhanpally Shurmandir, PO-Kadamtala, PS-Matigara, 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 zip lock plastic containing 31 g of narcotic substance said to be brown Bugar.

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 registered the case and took up the investigation / directed SI Asindam Saha Officer-in-Charge, Matigara Police Station, Siliguri Police Commission 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 Noted in original Complaint. of the Complainant / Informant  
 Signature of the Officer-in-Charge, Police Station  
 Name : BIPUL TALUKDAR  
 Rank : No. SI of Police, DTC, PS, SPC.

15. Date & Time of despatch to the court : On 26/08/23 at 11:00 hrs.

Received on 25/08/2023 at 20:35 hrs  
vide MTA PS GDE NO 1637, dt-25/08/23  
& started MTA PS case NO-695/23  
dt-25/08/2023 U/s-21(b) of NDPS Act  
& endorsed SI Anandam Saha for  
its investigation.



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

Sub: F.I.R

Office in Charge,  
Matigara Police Station  
Siliguri Police Commissionerate

Sir,

In producing herewith two (02) arrested accused persons namely (i) Manoj Kumar Rajak (26 yrs) S/O Dilip Rajak of Kalamjote, PO-Kadamtala, PS-Matigara, Dist-Darjeeling and (ii) Biswajit Sarkar @ Jal (25 yrs) S/O Gopal Sarkar of Bidhanpally, Shivmandir, PO- Kadamtala, PS- Matigara, Dist- Darjeeling along with the following seized article viz:

i] One transparent zip lock plastic containing thirty one grams (31 grams) of narcotic substance said to be brown sugar in powder form which was kept in his back pocket of accused Biswajit Sarkar @ Jal and Marked as exhibit- "A"

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 25/08/2023 at 16:35 hours, a source information was received that two persons are transporting contraband "Narcotic Substance" illegally for selling the same to their designated customers for their wrongful gain at railway underpass near Matigara Tea Estate under Matigara Police Station.

The matter was diarized vide Matigara PS GDE No. 1624 dated 25/08/2023. Accordingly, I informed the matter to Officer-in-charge of Matigara PS/SPC in writing and as per his kind instruction, I along with SI Sailesh Subba, ASI Dhirendranath Mandal, C/219 Sanatan Chitrakar, C/1053 Paresh Rava, and CV/ 977 Ganesh Paswan all of Matigara PS, Siliguri Police Commissionerate, left for railway underpass near Matigara Tea Estate under Matigara PS by Govt. vehicle vide GDE NO 1625 dated 25/08/2023 and MCC No 802 dated 25/08/2023 to verify the veracity of the information.

At the time of departure from police station 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 17:45 hours, we reached at Phansidewa underpass and called two independent witnesses namely (1) Md. Ayan (29) S/O Md. Samsad and (2) Manik Shil (23) S/O Ananda Shil both of Phansidewa More, PO-Kadamtala, PS-Matigara, Dist-Darjeeling. We disclosed our identities to them as police 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 distance from Matigara Tea Estate under Matigara Police Station, Dist. Darjeeling as indicated by my source.

Then being shown and identified by my source we proceeded towards railway underpass near Matigara Tea Estate under Matigara Police Station. After reaching there we saw two above noted persons standing there waiting eagerly for their customers. On seeing the police team, they became nervous and tried to run away from the spot. However we were able to detain them. Accordingly I disclosed my identity as Police Officer of Matigara Police Station and disclosed the identities of the police team accompanying me.

SI - Anar Lepcha

Handwritten notes and stamps at the bottom of the page, including "V.D.B.E", "260", "ST (P)", "32108/2023", "32108/2023", "32108/2023", "32108/2023".

On being asked, they disclosed their identities as (i) Manish @ Chhotu Rajak (26 yrs) S/O Dilip Rajak of Kalamjote, PO-Kadamtala, PS-Matigara, Dist-Darjeeling and (ii) Biswajit Sarkar @ Jal (25 yrs) S/O Gopal Sarkar of Bidhanpally, Shivmandir, PO- Kadamtala, PS- Matigara, Dist- Darjeeling. We informed them that we had a specific information that they had in their possession a huge quantity of "narcotic substance" said to be brown sugar and that we intended to search them. Initially they denied having any "Narcotic substance" with them. But I told them that we would search them in person. Eventually Biswajit Sarkar @ Jal admitted that he had "Narcotic Substance" in his possession and he in connivance with his friend Biswajit Sarkar @ Jal were waiting for a customer to deliver the same for their wrongful gain. He further stated that neither he nor his friend Manish had any license to sell "Narcotic Substance" and that they procure the same from one person named Prasenjit @ Pucchi of Charak Mat near B.ed College Shivmandir and then sells the same to their customers illegally, for their wrongful gain. It was clear that they were illegally procuring and transporting the "Narcotic Substance" said to be brown sugar.

Thereafter I served them a notice giving them the option of "whether they wanted to be searched in presence of an Executive Magistrate or by any Gazette Officer". To this, they agreed to be searched by 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 Dhirendranath Mandal with a requisition to Special Executive Magistrate, Shri Pasang T. Butia ACP (Traffic East) SPC, requesting him to come to the spot for supervising the process of search and seizure.

At around 19:05 hours, ASI Dhirendranath Mandal returned at the spot along with Special Executive Magistrate, Shri Pasang T. Butia ACP (Traffic East) SPC. He disclosed his identity as Special Executive Magistrate, to the detained persons as well as the independent witnesses and informed 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 (i) Manish @ Chhotu Rajak and (ii) Biswajit Sarkar @ Jal observing all formalities, but nothing could be recovered from the possession of Manish @ Chhotu except his wearing apparels. However above noted seized narcotic substance was found from the exclusive possession of the accused person Biswajit Sarkar @ Jal which he had kept in the back pocket of his jeans.

On being asked by Shri Pasang T. Butia ACP (Traffic East) SPC, Special Executive Magistrate about the valid documents in respect of the narcotic substance the apprehended persons were unable to produce any document/license in support of the same. They confessed that they were carrying this business illegally for the last six months. They admitted that they used to procure the narcotic substance from one Prasenjit @ Pucchi of Charak Mat near B.ed College Shivmandir under Matigara PS and used to sell it to their customers for their wrongful gain and today also they were waiting for their designated customer for delivering the same a trailway underpass near Matigara Tea Estate when the police team reached at the spot.

As instructed by Shri Pasang T. Butia ACP (Traffic East) SPC, I seized the above noted article 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 seized article as "Exhibit-A", in presence of the Special Executive Magistrate, independent witnesses and the accused. The seizure was made in between 19:15 hr to 19:45 hrs. The whole process of search and seizure was videographed by the videographer.

SI- Ajan Lepcha

The apprehended accused persons namely Manish @ Chhotu Rajak and Biswajit Sarkar @ Jal confessed before the Special Executive Magistrate and other witnesses that they used to procure "Narcotic Substance" clandestinely from one Prasenjit @ Pucchi of Charak Mat near B.ed College Shivmandir under Matigara PS for the purpose of selling the same to their designed customers for their wrongful gain.

I then arrested the apprehended accused person namely (i) Manish @ Chhotu Rajak (26 yrs) S/O Dilip Rajak of Kalamjote, PO-Kadamtala, PS-Matigara, Dist-Darjeeling and (ii) Biswajit Sarkar @ Jal (25 yrs) S/O Gopal Sarkar of Bidhanpally, Shivmandir, PO- Kadamtala, PS- Matigara, Dist- Darjeeling under proper Memo of Arrest for violating the terms and condition of the NDPS Act, after observing all guidelines of Apex Court. His ground of arrest was duly communicated to him.

Under the above circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused persons namely (i) Manish @ Chhotu Rajak (26 yrs) S/O Dilip Rajak of Kalamjote, PO-Kadamtala, PS-Matigara, Dist-Darjeeling and (ii) Biswajit Sarkar @ Jal (25 yrs) S/O Gopal Sarkar of Bidhanpally, Shivmandir, PO- Kadamtala, PS- Matigara, Dist- Darjeeling and arrange for its investigation.

Yours faithfully,

*Ajan Lepcha* 20/08/23  
(SI Ajan Lepcha)  
Matigara PS / SPC

Enclosure:

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