

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



1 Dist. Matigara Year. 2023 FIR No. 755/2023 Date 13/09/2023
2 Sections 21 (b) (ii) Act. " Sections "
(iii) Sections " (iv) Others Acts & Sections "

3. (a) Occurrence of Offence : Day " Date From 13/09/2023 Date To 13/09/2023
Time Period " Time From 13:05 hrs Time To 19:35 hrs
(b) Information received at P.S. Date 13/09/2023 Time 14:15 hrs
(c) General Diary Reference : Entry No(s) 722 Time 14:15 hrs

4. Type of Information : Written Written / Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. " Beat No. "
(b) Address Biswas Colony, PS - Matigara, Dist - Darjeeling.
(c) In case outside limit of this Police Station, then the N/A
Name of the P.S. " District "

6. Complainant / Informant :
(a) Name SI Sailesh Subba
(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) :
Md. Akhtar W @ Akhtar W, s/o - Md. Fasmuddin of
Biswas Colony, PO + 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) :
18 grams of said to be brown sugar kept inside transparent
zip lock plastic & masked as 'Exhibit - A'.

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
prepared as FIR is enclosed / step produced overleaf.

13. Action taken : Since the above report reveals commission of offence(s) as mentioned at item 7, case and took
up the investigation / directed SI Krishna Ch. Mandal Siliguri Police Commissionerate
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 SI Sailesh Subba Signature of the Officer-in-Charge, Police Station
of the Complainant / Informant " Matigara Police Station
Siliguri Police Commissionerate
Name "
Rank : No "

15. Date & Time of despatch to the court : On 14/09/23 at 11:00 hrs. Rank : No "

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

Sub: F.I.R

Sir,

In producing herewith one (01) arrested accused person namely (1) Md. Akhtarul @ Aktarul (22) s/o Md Farmuddin of Matigara, Biswas Colony, P.O+P.S Matigara, Dist. Darjeeling along with eighteen (18) grams of said to be Brown Sugar kept inside one transparent zip lock plastic marked as " Exhibit-A".

I, SI Sailesh Subba of Matigara Police Station, Siliguri Police Commissionerate, do hereby lodge this written complaint against the above noted accused person to the effect that today on 13.09.2023 at 11.25 hours, a source information was received that one person of Biswas Colony has possessed huge quantity of narcotic substances inside his house and selling the same to his designed customers for his wrongful gain.

The matter was diarized vide Matigara PS GDE No.- 710, dated 13.09.2023. and informed the matter to Officer-in-charge of Matigara PS/SPC in writing and as per his kind instruction, I, along with SI Agen Lepcha, ASI Dhirendranath Mondal, C/219 Sanatan Chitrakar, C/523 Sanjit Kundu, CVF/643 Animesh Roy, CVF/977 Ganesh Paswan all of Matigara PS, Siliguri Police Commissionerate left to work out the information towards Biswas Colony under Matigara PS by Government vehicle vide GDE No - 711, dated 13.09.2023 and MCC No 1008/23, Dated 13.09.2023 to verify the veracity of the information.

During 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 narcotic substances were found. I, also requested videographer namely Somnath Chatterjee s/o Sushil Chatterjee of Aurobindo Nagar, Ward No 22, PS Siliguri, over his mobile phone to come with his video camera and requested him to record the entire process of search and seizure if required.

At around 11.40 hours, we reached at Biswas Colony under Matigara PS, and parked the Vehicle at a considerable distance and called two independent witnesses namely (1) Rajib Chakrabarty (22) s/o Chandan Chakrabarty of Uttarayon, D-12, PO+PS Matigara, Dist. Darjeeling and (2) Sonu Mohanto (30) s/o Late Kanu Mohanto of Matigara, Bypass, PO+PS Matigara, Dist. Darjeeling and disclosed my identity as Police Team to them and the accompanying team as Police team and shared the information in hand and requested them in written to accompany us and remain present as a witnesses during the process of search and seizure if required. The witnesses agreed and acknowledge the same.

Further being shown and identified by my source I along with accompanied officers and force held raid at the house of said person and apprehended one person who being asked disclosed his identity as Md. Akhtarul @ Aktarul (22) s/o Md Farmuddin of Matigara, Biswas Colony, P.O+P.S Matigara, Dist. Darjeeling. I disclosed my identity as Police Officer of Matigara Police Station to him and disclosed the identities of the police team accompanying me.

SI Sailesh Subba

Date - 13/09/23

I, then shared the information in hand to the apprehended person that he is in possession of huge quantity of narcotic substances that we intended to search him and his house. Initially he denied having any such type of narcotic substances in his possession and in his house. But I told him that we would search him in person in presence of witnesses. Eventually he admitted that he is in possession of Brown Sugar which he had procured from elsewhere in Panitanki for selling the same illegally to his customers at Matigara area for his wrongful gain.

His statement constrained me to believe that he is possessing narcotic substances illegally for selling to his designed customers at Matigara for his wrongful gain. Accordingly I detained him after observing all the formalities and after maintaining strict regard of decency of the person.

Thereafter, I served him a Notice giving him an option of whether he wanted to be searched in presence of Executive Magistrate or by any Gazette Officer. And in return he agreed to be searched in presence of 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.

At around 12.05 Hours I, sent ASI Dhirendranath Mondal before Special Executive Magistrate, Shri Narendra Kalicotay (ACP, SB) Siliguri Police Commissionerate with a requisition requesting him to come to the spot for supervising the process of search and seizure.

At around 12.45 hours, ASI Dhirendranath Mondal returned at the spot along with Special Executive Magistrate. Accordingly Shri Narendra Kalicotay disclosed his identity as Special Executive Magistrate, to the detained person as well as to the independent witnesses and briefed him that he would be supervising the process of search and seizure as per norms.

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 after taking strict regard of decency, and recovered eighteen (18) grams of said to be Brown Sugar which was kept inside one transparent zip lock plastic and marked as " Exhibit-A".

[The above recovered substances said to be Brown sugar was weighed with the help of digital weighing machine certified by the weight and Metallurgy Department]

Further, Ld. Special Executive Magistrate demanded valid documents to him for possessing said to be Brown Sugar but he was unable to produce any document/license in support of said to be brown sugar. He also stated that he has procured it from elsewhere in Panitanki for the purpose of selling the same to his customers at Matigara for his wrongful gain.

As instructed by Special Executive Magistrate, I seized all the 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 labeled and sealed the seized article "Exhibit-A" in presence of the Special Executive Magistrate, independent witnesses and accused person. The seizure and label was made in between 13.05 hours to 13.35 hours. The whole process of search, seizure and label was video graphed by the videographer.

S2 Sateesh Lubba
Date - 12/09/27

I, then arrested the detained person after observing all guidelines of Apex Court under proper Memo of Arrest for violating the terms and condition of the NDPS Act. The ground of arrest was duly communicated to him.

Under the above noted circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused person namely Md. Akhtarul @ Aktarul (22) s/o Md Farmuddin of Matigara, Biswas Colony, P.O+P.S Matigara, Dist. Darjeeling and arrange for its investigation.

Yours faithfully,

SI Sailesh Subba.

(SI Sailesh Subba)


Matigara PS / SPC

Date: 13.09.2023

Enclosure:

1. Original Memo of Arrest.
2. Original seizure list with seized articles.
3. Original Inspection Memo.
4. Other connected papers.

Received on 13/09/2023 at 14:15 hrs
vide MTG PS GDE NO-722, DI-13/09/2023
& started MTG PS case NO-755/2023,
DI-13/09/2023 v/s- 21(b) of N.D.PS Act
& endorsed to SI Krishna Ch. Mandal
for it's investigation.

 13/9/23.

Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate