

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



P.S. Matigara Year 2023 FIR No. 799/2023 Date 28/09/2023

Sections 2100/220/29 Act Sections

3. (a) Occurrence of offence : Day Date From 28/09/2023 Date To 28/09/2023 Time Period Time From 15:50 hrs Time To 17:05 hrs.

(b) Information received at P.S. Date 28/09/2023 Time 17:55 hrs

(c) General Diary Reference : Entry No (s) 1594 Time 17:55 hrs

4. Type of Information Written Written / Oral

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

(b) Address Durga Math, Lokenath colony, Simultala, PS-Matigara, Dist - Darjeeling.

(c) In case outside limit of this Police Station, then the Name of the P.S. District

6. Complainant / Informant :

(a) Name SI Arindam Saha

(b) Father's / Husband's Name Ananta K. Saha

(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) Sanjit K. Mahanta @ Dipak @ Pok, s/o - Mahanta of Bariakhari, Tripakijote PO-Nemai, PS-Matigara, Dist-Darjeeling. 2) Shanto Roy of Bariakhari, 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):

① 46 pieces vial of LUPTIGESIC each contain 02 ml. ② 46 pieces vial of PHENERGAN each contain 02 ML ③ 45 vial of DIAZEPAM each contain 02 ML, ④ 01 red colour carry bag ⑤ 01 blue colour carry bag with bearing logo

10. Total value of properties stolen / involved No - WB74AY7012.

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 enclosed/supplied 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 Sailesh Subba

investigation / refused investigation / transferred to PS 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.

SI Arindam Saha

14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court : On 29/09/2023 at 11:00 hrs.

Signature of the Officer-in-Charge, Police Station Matigara Police Station SI SAILESH SUBBARAO SI of Police, MT6 PS, SPC.



To,
Officer In-Charge,
Matigara Police Station
Police Commissionerate.

Sir,

In producing herewith one accused person namely Sanjit Kumar Mahanto @ Dipok @ Pok(2+) S/O Mantu Mahanto of Baniakhari, Tripalijote, P.O. Nema, P.S. Matigara, Dist. Darjeeling (not verified) in custody and the following property under seizure along with seizure list:-

1. Forty Six (46) pieces of vials of NRX Buprenorphine Injection LUPIGESIC composition with Buprenorphine Hydrochloride IP equivalent to Buprenorphine 0.3 mg each vials containing 02 ML (Total 92ML) and Marked as "Exhibit-A" kept inside one cartoon box.
2. Forty Four (44) pieces of vials of RX Promethazine Hydrochloride Injection IP PHENERGAN Injection which composition with hydrochloride IP 25mg each vials containing 02 ML (Total 88ML) and Marked as "Exhibit-B" which was kept inside one cartoon box.
3. Forty Five (45) pieces of vials of NRX DIAZEPAM Injection composition with Diazepam IP 5mg each vials containing 02 ML (total 90ML) and Marked as "Exhibit-C" which was kept inside one cartoon box.
4. One red Colour carry bag where "Exhibit A", "Exhibit B" and "Exhibit C" was kept inside it and marked as "Exhibit D".
5. One Blue Colour Bajaj Pulsar Model 150 CC two wheeler bike having Registration No. WB 74AY 7012 which is marked as "Exhibit-E".


I, SI Arindam Saha S/O- Ananta Kumar Saha of Matigara PS/ SPC do hereby lodged this written complaint against the above noted arrested accused person to the effect that on 28.09.2023 at about 14.20 hours received a secret source information that one person along with one Pulsar Bike having Registration No. WB 74 AY 7012 carrying huge quantity of Narcotics Substances in his possession is waiting for his customer at Simultala under Matigara PS to deliver the same for his wrongful gain.

The information was diarized vide Matigara PS/SPC GDE No. 1589 Dtd. 28.09.2023 and informed the matter with a written letter to the Officer In-charge of Matigara PS, SPC about this information.

As per kind order of Officer In charge of Matigara PS/SPC myself along with ASI Dhirendranath Mondal, ASI Pema Dorjee Sherpa, C/ Paresh Rava, C/Sanjit Kundu, CVF/977 Ganesh Paswan and CVF/648 Animesh Roy all of Matigara PS/SPC left by govt. vehicle vide Matigara PS/SPC M.C.C No-1244/23 Dt. 28.09.2023 to verify the veracity of information. This refers to Matigara PS/SPC, GDE.NO. 1590, Dated. 28.09.2023.

At the time of departure from PS I took digital weighing machine, envelope, white paper, sealing wax, gum, seal and other investigation kits as it would be needed if any contraband substance was found.

122 investigation.


Officer in Charge

At about 14.35 hrs I along with the accompanied team arrived at Simultala, Loknath Colony and parked the vehicle at considerable distance. On arrival there I called two disinterested witnesses namely (i) Nikhil Mondal s/o Suvinatah Mondal of Simultala, Loknath Colony PO+PS Matigara, Dist. Darjeeling and (ii) Sushil Kumar Bala s/o late Ananta Kumar Bala of Simultala, Near Weibel IT Park, PO+PS Matigara, Dist. Darjeeling 7431032283 and disclosed the matter regarding our information and requested them by issuing a notice for their Consent to accompany us in the whole process during search and seizure if necessary, and obtain necessary permission of their presence as witnesses in the entire process of Search and Seizure under relevant provision of law.

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 at the spot with his video camera and requested him to record the entire process of search and seizure

At about 14.45 hours he identified and shown by source I managed to apprehend one person along with one Motorcycle having Registration WB 74 AY 7012 carrying one red colour carry bag in his left hand at Durga Maath, Loknath Colony, Simultala who was waiting for his customer. I, disclose my identity as Police Officer and the accompanied team as Police team to the apprehended person. On being asked he disclosed his identity as Sanjit Kumar Mahanto (24) S/O Mantu Mahanto of Baniakhari, Tripalijote, P.O. Nemai, P.S. Matigara, Dist. Darjeeling.

I, interrogate the apprehended person and shared the information about the possession of Narcotics Substances in his possession but he denied having such type of substances in his possession. But I told him that we would search him and his carry bag and motorcycle. Eventually he admitted that he had in his possession narcotic substances and was waiting for this customer to deliver the same. On thorough interrogation he disclosed that he is in possession of huge quantity of Narcotic Substances. Accordingly we detained the said person with strong reason to believe that he is illegally carrying Narcotics Substances for delivering the same to his customers for his wrongful gain.

Then I served him notice in written whether he wanted to be search in presence of an Executive Magistrate or any Gazetted Officer and he agreed to be search in presence of anyone. I, also offered independent witnesses and detained person to search our Police team as per provision. But they refused to search the police team.

I then sent ASI Pema Dorjee Sherpa with a requisition to Special Executive Magistrate, Shri Manish Yadav, ACP (Investigation Unit) SPC, requesting him to come to the spot for supervising the process of search and seizure.

At around 15.35 hours, ASI Pema Dorjee Sherpa returned at the spot along with Special Executive Magistrate, Shri Manish Yadav ACP (Investigation Unit) SPC. As per provision of NDPS Act Shri Manish Yadav disclosed his identity as Special Executive Magistrate to the detained person: as well as the independent witnesses telling him that he would be supervising the process of search and seizure.

As instructed by L.A. Special Executive Magistrate and under his supervision in presence of two independent public witnesses, search was conducted of the detained person observing all formalities and recovered one red colour carry bag containing the following contraband articles:

1. Forty Six (46) pieces of vials of NRX Buprenorphine Injection UPIGESIC composition with Buprenorphine Hydrochloride IP equivalent to Buprenorphine 0.3 mg each vials containing 02 ML (Total 92ML) which was kept inside one paper box.

- 07 2023.
2. Forty Four (44) pieces of vials of RX Promethazine Hydrochloride Injection IP PHENERGAN Injection which composition with hydrochloride IP 25mg each vials containing 02 ML (Total 88ML) which was kept inside one paper box.
 3. Forty Five (45) pieces of vials of NRX DIAZEPAM Injection composition with Diazepam IP 5mg each vials containing 02 ML (total 90ML) which was kept inside one paper box.


On being asked by Special Executive Magistrate he was unable to produce any document/license in support of that "Narcotic Substances" that was in his possession. He also confessed that he along with his associates namely Shanto Roy of Baniakhari has procured Narcotic Substance from Siliguri area to sell the same for their illegal gain. He also stated that he was carrying this business illegally since long and used to sell it to his customers and today he was waiting for his customer when the police team reached at the spot.

As instructed by Special Executive Magistrate I, seized all the above recovered articles under proper seizure list in presence of the above noted independent witnesses and the accused person and duly signed by the witnesses and the accused person on the seizure list. I labeled and sealed all the seized articles as "Exhibit-A", "Exhibit-B", "Exhibit-C", "Exhibit-D" and "Exhibit-E" in presence of Special Executive Magistrate, independent witnesses and the accused person. The seizure and label was made in between 15:50. hr to 17.05 hrs. The whole process of search and seizure was video graphed by the videographer.

I, then arrested the detained accused person Sanjit Kumar Mahanto @ Dipok @ Pok(24) S/O Mantu Mahanto of Baniakhari, Tripalijote, P.O. Nemai, P.S. Matigara, Dist. Darjeeling (not verified) under proper Memo of Arrest for violating the terms and condition of the NDPS Act, after observing all guidelines of Apex Court and 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 named [1] Sanjit Kumar Mahanto @ Dipok @ Pok(24) S/O Mantu Mahanto of Baniakhari, Tripalijote, P.O. Nemai, P.S. Matigara, Dist. Darjeeling (not verified), [2] Shanto Roy of Baniakhari and others and arrange for its investigation.

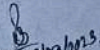
Yours faithfully,


22/09/2023
(SI Arindam Saha)
Matigara PS / SPC
Date: 28.09.2023

Enclosure:

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

Received on 28/09/2023 at 17:55 hrs vide MT 6
PS GDE NO-1594, D-28/09/2023 & Strated MT 6 PS
Case No- 799/2023, O-28/09/2023 Ws-21(0)/22(0)/23
of NDPS Act & referred to SI Sanjay Subbaraj
for investigation.


Officer in Charge
Police Station