

# FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)



pc

P.S. Pradhan Nayar Year 2023 FIR No. 789/23 Date 30/09/23  
Sections 21(c), 22(c), 37A, 29 of NDPS Act Sections  
Sections (iv) Others Acts & Sections

3. (a) Occurrence of Offence : Day Saturday Date From on 30/09/23 Date To  
Time Period Time From 17:15 hrs Time To 19:45 hrs

(b) Information received at P.S. Date on 30/09/23 Time 20:20 hrs

(c) General Diary Reference : Entry No(s) 1897 Time 20:20 hrs

4. Type of Information Written Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. North-East, 02 km. Beat No.

(b) Address Naya Busty, Kadimgaj, Champasari, p.s. Pradhan Nayar, 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 Yovel Lepcha

(b) Father's / Husband's Name Jai Pshering Lepcha

(c) Date / Year of Birth : 28 (d) Nationality Indian

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

(f) Occupation Service in West Bengal Police

(g) Address Pradhan Nayar P.S. / SPC

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

(Attach separate sheet, if necessary) :  
(i) Binit kr. Jha (M/40), s/o Deb chandra jha of Gurung Busty, Bahmu Bhat Sarani, w/r-03, p.s. Pradhan Nayar, Dist. Darjeeling, (ii) Bikram kr. Jha, s/o Deb chandra jha of Gurung Busty, Bahmu Bhat Sarani, p.s. Pradhan Nayar, Dist. Darjeeling and others.

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

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

one brown colour carton containing 100 (one hundred) bottles of triprolidine Hydrochloride and codeine phosphate syrup 'BESCODEX' each bottle containing 100 ml. having Batch NO. T0HW0844, MFG Date 08/23, Exp. Date 07/25 and MRP Rs. 190/ each bottle and marked as exhibit 'A'

10. Total value of properties stolen / involved continue..

11. Inquest Report / U.D. Case No., if any

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 Rabinendra Nath Sarkar 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  
SI Yovel Lepcha  
Inspector-In-Charge Pradhan Nagar Police Station, Siliguri Police Commissionerate  
Name Anirban Bhattacharjee  
Rank : No. Insp. of Police

15. Date & Time of despatch to the court : on 01/10/23 at 10:00hrs.



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



Sub: - F.I.R

Sir,

In producing herewith 02 (two) arrested accused persons namely (i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling along with the following articles under proper seizure. The ground of arrest duly been communicated with them.

1. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "A".
2. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "B".
3. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "C".
4. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "D".
5. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "E".
6. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "F".
7. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "G".
8. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "H".
9. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "I".
10. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "J".
11. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "K".
12. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "L".

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13. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "M".
14. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "N".
15. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "O".
16. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "BESCODEX" each bottle containing 100 ml having batch No TBHWO844, Mfg date 08/23, Exp date 07/25 and MRP Rs 190/- each bottle and marked as Exhibit "P".
17. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "Q".
18. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "R".
19. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "S".
20. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "T".
21. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "U".
22. One brown colour cartoon containing 100 (one hundred) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "V".
23. One brown colour cartoon containing 75 (seventy five) bottles of Tripolidine Hydrochloride & Codeine Phosphate syrup "RVREX-CT" each bottle containing 100 ml having batch No TBHWO843, Mfg date 08/23, Exp date 07/25 and MRP Rs 155/- each bottle and marked as Exhibit "W".

I, SI Youel Lepcha S/O Jai Tshering Lepcha of Pradhan Nagar P.S. Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted 02 (two) arrested accused persons namely (i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling to the effect that on 29.09.23 at 14.40 hrs I, received a reliable specific source input that two persons stored huge quantity of illegal Cough Syrup in their rented house at Naya Busty, Kadangaj, Champasari, PS- Pradhan Nagar, Dist.- Darjeeling without any valid license for sale the same to their designed customers of Darjeeling, Kurseong and Sikkim for his illegal gain. Accordingly, the matter was diarized in General Diary vide Pradhan Nagar PS.GDE No 1884 Dt 30.09.2023 and subsequently, I informed the matter to the Inspector-in-Charge, Pradhan Nagar P.S. in written. I also informed one Videographer namely Somnath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling over telephone and directed him to come at Pradhan Nagar PS with his video camera for the purpose of videography if required while he stated that he will come at the PS within five minutes as he is now at Champasari More with camera. Subsequently, being directed by Inspector-in-Charge, Pradhan Nagar PS, SPC myself along with ASI Biplob Kr Das, CV/645 Pankaj Gupta, CV/223 Swapan Chhetri, CV/128 Ajoy Kr Sahani, and CV/242 Rakesh Monger all



of Pradhan Nagar PS, SPC left for Naya Busty, Kadamgaj, Champasari, PS- Pradhan Nagar, Dist.- Darjeeling with above noted photographer by Govt. vehicle to verify the veracity of the information with investigation kits. This refers to Pradhan Nagar PS GDE No 1885 Dt. 30.09.23 and M.C.C No 2459/2023 date 30.09.2023. I also contacted with RT van officer SI Bijoy Sarkar and informed him about the information in hand and directed him to come at the above noted place for holding raid to verify the veracity of the information. On the way, I briefed all of them and share the information in hand. Under this circumstances any search warrant or authorization for search cannot be obtained without affording opportunity for the concealment of evidence or facility for the escape of the offender.

At about 15.20 hrs I along with above mentioned officers and force reached at near the rented house of the accused persons situated at Naya Busty, Kadamgaj, Champasari, PS- Pradhan Nagar, Dist.- Darjeeling and after a few time RT van officer SI Bijoy Sarkar along with force came there and accompany with us. At about 15.25 hrs as identified by the source we entered into the premises of the rented house of the accused persons and contacted two independent witnesses namely (i) Pawan Sah S/O Natho Sah of Naya Busty, Kadamgaj Champasari, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Hemraj Gurung S/O Dil Bahadur Gurung of same locality and informed them about the source input and requested them in written to act as witness, if any search and seizure would be made necessary upon which they agreed. At about 15.30 hrs being pointed and identified by the source, I held raid at the rented house of the accused persons namely i) Binit Kr Jha and (ii) Bikram Kr Jha and found both of them were available at the said rented house. Accordingly, I detained them and disclosed our identity as police personnel and inform them regarding the information in hand and stated them that they will be searched in person for the said purpose. On being asked they disclosed their identity as (i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling and admitted that they have illegally stored 23 cartoon of cough syrup at their rented house to sale the same to their designed customers of Darjeeling, Kurseong and Sikkim as per their requirement. I, then gave them option in writing whether they wanted to be searched in presence of an Executive Magistrate or by any Gazetted Officer upon which he agreed to be searched in presence of any one of the above. Accordingly, I informed the matter to the Inspector-In-Charge, Pradhan Nagar PS and as per his kind order, I informed the fact to Shri Rajen Chhetri, WBPS, ACP, Siliguri Police Commissionerate detailed for acting as Special Executive Magistrate, of SPC for the day regarding interception of the accused persons suspected to be possessed huge quantity of 'illegal Codeine Phosphate' based Cough Syrup and requested him to come at Naya Busty, Kadamgaj, Champasari, PS- Pradhan Nagar, Dist.- Darjeeling to remain present and to supervise the search and seizure.

Accordingly at 16.55 hrs Shri Rajen Chhetri, WBPS, ACP, SPC arrived at the spot at Naya Busty, Kadamgaj, Champasari, PS- Pradhan Nagar, Dist.- Darjeeling. Then, I offered the independent witnesses and the detained persons to search our Police Party as per provisions of law but they denied to search the police party. Thereafter, obtaining the permission from Shri Rajen Chhetri, WBPS, ACP, SPC and in presence of independent witnesses, I searched the detained persons following all formalities, keeping their strict regard of decency and the rented house of the above noted two detained persons and recovered 23 (Twenty three) paper made brown colour cartoon containing Codeine Phosphate' based Cough Syrup and each cartoon contain containing 100 bottles of Codeine Phosphate' based Cough Syrup from the exclusive possession of the said detained persons which were they kept under their bed. On demand in presence of Shri Rajen Chhetri, WBPS, ACP, SPC as well the independent witnesses they failed to produce any valid documents/papers for possessing/storing of such a huge quantity of 'Codeine Phosphate' based Cough Syrup. On further interrogation they admitted their guilt and disclosed that they have procured the 'Codeine Phosphate' based Cough Syrup clandestinely from one of his dealer of Bihar for the purpose of selling the same in high rates to their designed customers at Darjeeling, Kurseong and Sikkim for their personal gain by illegal means. They also disclosed that they have been dealing such type of business of procuring and selling of 'Codeine Phosphate' based drugs illegally for last few months for their wrongful gain.

SI Uvel Lepcha



Accordingly, I seized the above noted recovered 23 ( twenty three) cartoons of Codeine Phosphate' based cough syrup from SI No 01 to 23 from the joint possession of accused i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling under proper seizure list in presence of in presence of Shri Rajen Chhetri, WBPS, ACP , SPC, and independent witnesses and obtain their signature and being acknowledged by the accused persons. Subsequently, I labelled and sealed the seized articles in presence of Shri Rajen Chhetri, WBPS, ACP , SPC, independent witnesses and the above noted accused persons. The whole process of search, seizure and label was made under the coverage of videography by the videographer named Somnath Chatterjee S/O Sushil Chatterjee of Arabinda Pally, Gokhel Road, Ward No 22, PS- Siliguri, Dist.- Darjeeling in between 17.15 hrs to 19.45 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely (i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling are involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act.

Then, I arrested the above noted detained persons namely i) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling after observing all formalities and informing the ground of their arrest and issued necessary Memo of Arrest.

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) Binit Kr Jha (40 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No -03, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bikram Kr Jha (42 yrs) S/O Deb Chandra Jha of Gurung Busty, Bhanu Bhakta Sarani, Ward No-03, PS- Pradhan Nagar, Dist.- Darjeeling and one unknown person of Bihar and arrange for its investigation.

**Enclosures:**

- i) Original Memo of Arrest.
- ii) Original seizure list along with seized articles and other relevant documents..

Yours faithfully,

*SI Youel Lepcha*

(SI Youel Lepcha)

Pradhan Nagar PS, SPC

Date: 30.09.2023

Received on 30/09/23 at 20.20 hrs vide.  
PDN P.S. NO. 1897/23 and registered PDN  
P.S. case NO. 789/23 Dt. 30/09/23 U/s 21(e),  
22(e), 27A, 29 of NDPS Act and is endorsed  
to SI Rabinendra Nath Sarkar for its investigation.

*L*  
30/9/23

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



