

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

1. Dist. Spe P.S. Pradhan Nagar Year 2023 FIR No. 859/23 Date 17/10/232. i) Act. Sections 21(c), 22(c), 37A, 29 of NDPS Act Sections

ii) Act. Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From On 17/10/23 Date ToTime Period Time From 19.50 hrs Time To 20.55 hrs(b) Information received at P.S. Date On 17/10/23 Time 21.25 hrs(c) General Diary Reference : Entry No (s) 1035 Time 21.25 hrs4. Type of Information Written Written / Oral5. Place of Occurrence : (a) Direction and Distance from P.S. South-West, 1.5 km Beat No.(b) Address Siliguri junction bus stand, P.S. Pradhan Nagar, Dist. Darjeeling

(c) In case outside limit of this Police Station, then the

Name of the P.S. District

6. Complainant / Informant :

(a) Name Sr Goutam malik(b) Father's / Husband's Name Lt. Nikhil Ranjan malik(c) Date / Year of Birth (d) Nationality Indian

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

(f) Occupation Service in West Bengal police(g) Address Pradhan Nagar P.S. / Spe

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

(Attach separate sheet, if necessary) :

Somju Barman (M/36), s/o Lt. Rabi Barman of Deep Nagar, Srilanka Busty P.S. Bhaktinagar, Dist. Jalpaiguri and others

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

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

ONE red colour plastic bag with a logo 'MUN MUN' containing 36 (thirty six) bottles of chlorpheniramine maleate and codeine phosphate cough lozenges 'PHENSEDYL' cough lozenges each bottle containing 100 ml having Batch No. PHC22056, MFG DT. JUN, 23, Expiry dt. NOV, 23 MRP RS. 205.31 which is kept in a black colour polythene and marked as Exhibit 'A'10. Total value of properties stolen / involved mentioned in seizure list

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 Sr Sabin Yonzon Tamang to take up investigation / refused investigation / transferred to P.S. on point of jurisdiction. FIR read over to the Complaint / 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

Sr Goutam Malik

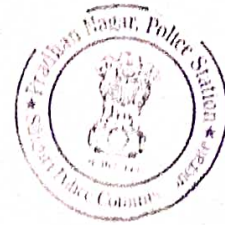
15. Date & Time of despatch to the court :

On 18/10/23 at 10.00 hrs.

Signature of the Officer-in-Charge, Police Station

Name Anirban BhattacharjeeRank : No. Inspector in ChargePradhan Nagar Police Station
Siliguri Police Commission

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



Sub: - F.I.R

Sir,

In producing herewith 01 (one) arrested accused person named Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri along with the following articles under proper seizure. The ground of arrest duly been communicated with him.

- (1) One red colour plastic bag with a logo "MUN MUN" containing 36 (thirty six) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC22056, Mfg date JUN-22, Expiry date NOV-23, MRP Rs. 205.31 which is kept in a black colour polythene and marked as Exhibit "A".

I, SI Goutam Mallik S/O Late Nikhil Ranjan Mallik of Pradhan Nagar PS, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted arrested accused person named Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri to the effect that on 17.10.23 at 17.05 hrs I, received a reliable specific source input that one person possessing huge quantity of illegal Cough Syrup without any valid license will come at Siliguri Junction Bus Stand under Pradhan Nagar PS, Dist.- Darjeeling to deliver the same to his designed customer. Accordingly, the matter was diarized in General Diary vide. Pradhan Nagar PS GDE No 1021 dated 17.10.23 and subsequently, I informed the matter to the Inspector-in-Charge, Pradhan Nagar PS in written. Subsequently, being directed by Inspector-in-Charge, Pradhan Nagar PS, SPC myself along with SI Youel Lepcha, ASI Manoj Kr Roy, ASI Biplab Kr Das, CV/223 Swapan Chhetri, CV/645 Pankaj Gupta and CV/242 Rakesh Mongar all of Pradhan Nagar PS, SPC left for Siliguri Junction under Pradhan Nagar PS, Dist.- Darjeeling by Govt. vehicle with investigation kits to verify the veracity of the information. This refers to Pradhan Nagar PS GDE No 1022 Dt. 17.10.23 and M.C.C No 4958/23 dated 17.10.23. 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 Siliguri Junction Bus Stand under Pradhan Nagar PS, Dist.- Darjeeling with his video camera for the purpose of videography if required. 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. On the way I briefed all the police personnel and share the information in hand.

At about 17.40 hrs I along with above mentioned officers and force reached Siliguri Junction under Pradhan Nagar PS contacted with my source while he stated that the person possessing cough syrup will come at near entry gate of Siliguri Junction Bus Stand. I also contacted two independent witnesses namely (i) Nurjamal S/O Late Abdul Rahaman of Dharam Nagar, Ward No-1, Coolopara, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Bishal Rai S/O Bablu Rai of Dharam Nagar, Coolipara, Ward No-01, PS- Pradhan Nagar, Dist.- Darjeeling and informed them about the source input and requested them to act as witness, if any search and seizure would be made, upon which they agreed. I also issued notice to the said independent witnesses. Then, as per source information at around 18.15 hrs we along with the said independent witnesses reached at entry gate of Siliguri Junction Bus Stand and being pointed and identified by the source I, noticed that one person with a red colour bag in his hand is standing at entry gate of Siliguri Junction Bus Stand. Accordingly, I along with above noted officers and force cordoned the place carefully and managed to detain the suspected person with a red colour bag in his hand. Thereafter, we disclosed our identity as police personnel and informed him regarding the information in hand and stated him that he will be searched in person for the said purpose.

On being asked the detained person disclosed his identity as Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri and admitted, that he has illegally possessed cough syrup and come to there for selling the same to his designed customer as per his requirement. I, then gave him option in writing whether he 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.

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17/10/23

Accordingly, I informed the matter to the I/C, Pradhan Nagar PS and as per his kind order, I informed the fact to Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day regarding interception of the accused person suspected to be possessed illegal cough syrup and requested him to come at entry gate of Siliguri Junction Bus Stand under Pradhan Nagar P.S. Dist.- Darjeeling to remain present and to supervise the search and seizure. At 18.55 hrs the above noted camera man arrived at the spot. Accordingly, I issued a notice to him for videography the entire process of search and seizure. At 19.45 hrs Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day arrived at the spot at Entry gate of Siliguri Junction Bus Stand. Then, I offered the independent witnesses and the detained person to search our Police Party as per provisions of law but they denied to search the police party. Thereafter, in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC detailed for acting as Special Executive Magistrate, of SPC for the day and independent witnesses noted above, I searched the detained person following all formalities, keeping his strict regard of decency but found nothing except his wearing apparels but on searched the red colour bag in his possession recovered one black colour polythene containing 36 (thirty six) bottles of Chlopheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC22056, Mfg date JUN-22, Expiry date NOV-23, MRP Rs. 205.31. On demand in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC as well the independent witnesses the detained person named Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri failed to produce any valid documents/papers for possessing of such huge quantity of 'Codeine Phosphate' based Cough Syrup. On further interrogation he admitted his guilt and stated that he had procured the said Cough Syrup clandestinely from one of his supplier for the purpose of selling the same in high rates to his designed customers and also stated that he is waiting there for his customer to deliver the same for his personal gain by illegal means. He also disclosed that he has been dealing such type of business of procuring and selling of cough syrup illegally for last few months for his wrongful gain.

Accordingly, I seized one red colour plastic bag with a log "MUN MUN" containing 36 (thirty six) bottles of Chlopheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" Cough Linctus each bottle containing 100 ml having Batch No. PHC22056, Mfg date JUN-22, Expiry date NOV-23, MRP Rs. 205.31 which is kept in a black colour polythene and marked as Exhibit "A" from the possession the above noted accused named Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri under proper seizure list in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC and independent witnesses and obtain their signature and acknowledged by the accused person. Subsequently, I sealed and labelled the seized articles in presence of Shri Pasang Topgay Bhutia, WBPS, ACP, Traffic (East), SPC, independent witnesses and the above noted accused person. 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 19.50 hrs to 20.55 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri is involved in procuring and selling 'Codeine Phosphate' based drugs illegally contravening the norms of NDPS Act. Then I arrested the above noted accused person named Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri after observing all formalities and informing him the ground of his 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 person namely Sanju Barman (26 yrs) S/O Lt Rabi Barman of Deep Nagar, Srilanka Busty, PS- Bhakti Nagar, Dist.- Jalpaiguri and arrange for its investigation.

Enclosures:

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

Received on 17/10/23 at 21.25 hrs vide. PDN
P.S. GIDE NO. 1035 and is registered PDN P.S. case
No. 859/23 dt. 17/10/23 u/s 21(c), 22(c), 27A, 29 of
NDPS Act and is endorsed to Sr Sobin Yonzon
Tanning for its investigation.

17/10/23
Inspector-In-Charge
Pradhan Nagar Police Station
Siliguri Police Commissionerate

Yours faithfully,

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17.10.23.
(SI Goutam Mallik)
Pradhan Nagar PS, SPC