

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

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P.S. Pradhan Nagar Year 2023 FIR No. 1009/23 Date 06/12/23
Sections 21(c), 22(c), 27A, 29 ii) Act of NDPS Act Sections
iii) Act Sections iv) Others Acts & Sections

3. (a) Occurrence of offence : Day Date From 06/12/23 Date To
Time Period Time From 18.05 hrs Time To 19.05 hrs
(b) Information received at P.S. Date 06/12/23 Time 19.25 hrs
(c) General Diary Reference : Entry No (s) 289 Time 19.25 hrs
4. Type of Information Written ✓ Oral
5. Place of Occurrence : (a) Direction and Distance from P.S. East 01 km Beat No.
(b) Address Near Mahamanda Bridge, towards Bhakinnagar, P.S.
Pradhan Nagar, Dist. Durgajiling
(c) In case outside limit of this Police Station, then the
Name of the P.S. District

6. Complainant / Informant :
(a) Name SI Md. Shajahan Ali
(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 Service in West Bengal Police
(g) Address Pradhan Nagar P.S./SPC

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) :
(i) Samir Raha (M/30), s/o Sudhir Raha of Champasroi Anchal,
in front of street Gurus school, P.S. Pradhan Nagar, Dist. Durgajiling
and others.

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

9. Particulars of properties stolen / involved (Attach separate sheet, if necessary) :
One black and blue colour bike noted as 'spark' containing 50 (fifty) bottles of chloropheniramine maleate and codeine phosphate cough lozenges 'PHENSIDYLE' having batch no. PHC 22058, Mfg. Date Jun-22, Expiry Dt. Nov, 23, each bottle containing 100 ml and MRP Rs. 205.31/ and marked as exhibit 'A', one black and yellow colour TVS auto rickshaw having Reg. No. WB/73/R 6900 and marked as exhibit.
10. Total value of properties stolen / involved B 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 SI Sabin Jannan Tammany 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
SI. Md. Shajahan Ali

Inspector-In-charge
Pradhannagar Police Station
Siliguri Police Commissionerate
Signature of the Officer-in-Charge, Police Station
Name Anirban Bhattacharjee
Rank : No. Insp. of Police

15. Date & Time of despatch to the court :
on 07/12/23 at 11.00 hrs.



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

Sub: - F.I.R

Sir,

In producing herewith 01 (one) arrested accused person namely Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling along with the following articles under proper seizure. The ground of arrest duly been communicated with him.

- (1) One black & blue colour back pack noted as "Spark" containing 50 (fifty) bottles of Chlropheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC 22058, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/- and marked as Exhibit "A".
- (2) One Black and yellow colour TVS Auto rickshaw having registration number WB/73/F/6900 and marked as exhibit "B".

I, SI Sahajahan Ali S/O Late Abdur Rouf of Pradhan Nagar PS, Siliguri Police Commissionerate do hereby lodged this written complaint against the above noted arrested accused person named Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling to the effect that on 06.12.23 at 15.15 hrs I, received a reliable specific source input that one person possessing huge quantity of illegal Cough Syrup without any valid license will come from Darjeeling More side and go to Bhaktinagar side by his Auto Rickshaw displaying number plate WB/73/F/6900. Accordingly, the matter was diarized in General Diary vide Pradhan Nagar PS GDE No 274 dated 06.12.23 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 Biplab Kr Das, ASI Prabal Sarkar, C/473 Amrita Sarkar all of Pradhan Nagar PS, SPC left for near Mahananda Bridge, towards Bhakti Nagar 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 276 Dt. 06.12.23 and M.C.C No 6019/23 dated 06.12.23. 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 near Mahananda Bridge towards Bhaktinagar 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 15.50 hrs I along with above mentioned officers and force arrived at near Mahananda Bridge towards Bhakti Nagar under Pradhan Nagar PS contacted with two independent witnesses namely (i) Kishan Paswan S/O late Ramesh Paswan of Satyajit Nagar Colony, Ward No-46, Near Kali Mandir, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling and (ii) Rajesh Yadav S/O Late Harihar Yadav of Shiv Nagar, Darjeeling More, near Shiv Mandir, PO+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. At 16.25 hrs I received information from my source that the said Auto Rickshaw crossing Champasari More. At 16.30 hrs we detained the said Auto Rickshaw displaying number plate WB/73/F/6900 and found only the driver was inside the said Auto Rickshaw. 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 Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist. - Darjeeling and admitted that he has illegally possessed cough syrup and proceeded towards Bhakti Nagar PS for selling the same to his designed customers as per 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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26/12/23

Accordingly, I informed the matter to the I/C, Pradhan Nagar PS and as per his kind order, I informed the fact to Shri Rajen Kumar Chhetri, WBPS, ACP, DD, SPC detailed for acting as Special Executive Magistrate of SPC for the day vide C.O. No 4177 dated 29.11.23 and Memo No 10066(21)GOA/SPC/V dated 29.11.23 regarding interception of the accused person suspected to be possessed illegal cough syrup and requested him to come at Near Mahananda Bridge towards Bhakti Nagar under Pradhan Nagar P.S, Dist.- Darjeeling to remain present and to supervise the search and seizure. At 17.05 hrs the above noted cameraman arrived at the spot. Accordingly, I issued a notice to him for video graph the entire process of search and seizure. At 17.45 hrs Shri Rajen Chhetri, WBPS, ACP, DD, SPC detailed for acting as Special Executive Magistrate of SPC for the day arrived at the spot at near Mahananda Bridge towards Bhakti Nagar. 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 Rajen Chhetri, WBPS, ACP, DD, 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 detained Auto Rickshaw having registration number WB/73/F/6900 driven by him recovered one black & blue colour back pack noted as "Spark" containing 50 (fifty) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC 22058, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/-. On demand in presence of Shri Rajen Chhetri, WBPS, ACP, DD, SPC as well the independent witnesses the detained person named Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling 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 proceeding towards Bhakti Nagar 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 the following recovered articles (i) one black & blue colour back pack noted as "Spark" containing 50 (fifty) bottles of Chlorpheniramine Maleate & Codeine Phosphate cough Linctus "PHENSEDYL" having Batch No. PHC 22058, Mfg date JUN-22, Expiry date NOV-23, each bottle containing 100 ml and MRP Rs. 205.31/- and marked as Exhibit "A" and (ii) one Black and yellow colour TVS Auto rickshaw having registration number WB/73/F/6900 and marked as exhibit "B" under proper seizure list from the possession the above noted accused named Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling in presence of Shri Rajen Chhetri, WBPS, ACP, DD, 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 Rajen Chhetri, WBPS, ACP, DD, 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 18.05 hrs to 19.05 hrs.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused person namely Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling 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 Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, Infront of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling after observing all formalities and informing him the ground of his arrest and issued necessary Memo of Arrest.

Under the above fact and circumstances, I pray before you that a specific case under proper section of law may kindly be started against the accused person namely Samir Raha (30 yrs) S/O Sudhir Raha of Champasari Anchal, In front of Shriguru High School, near Kali Mandir, Ward No 46, PO- Champasari, PS- Pradhan Nagar, Dist.- Darjeeling 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,

(Signature)
06/12/23
(SI Sahajahan Ali)
Pradhan Nagar PS, SPC

SI Md. Shajahan Ali

Received on 06/12/23 at 19:25 hrs vide.
PDM AS. GIDE NO. 289 and is registered PDM
AS. case NO. 1009/23 dt 06/12/23 u/s 21(c),
22(c), 27A, 29 of NDPS Act and is endorsed
to SI Sabin Jozan Tamang for its
investigation.

(Signature)
06/12/23
Inspector In-charge
Pradhannagar Police Station
Siliguri Police Commissionerate