

FIRST INFORMATION REPORT

(Under Section 154 Cr. P.C.)

2766



1. District Matigara P.S. Matigara Year 2024 FIR No 66/24 Date 30.01.24

2. i) Act Sections _____ ii) Act Sections _____
 iii) Sections 21(C) iv) Others Acts & Sections _____

3. (a) Occurrence of offence : Day Tuesday Date From 30.01.24 Date To _____
 Time Period _____ Time From 16:35 hrs Time To 17:50 hrs
 (b) Information received at P.S. Date On 30.01.24 Time 18:45 hrs
 (c) General Diary Reference : Entry No (s) 1605 Time 18:45 hrs

4. Type of Information written Written / Oral _____

5. Place of Occurrence : (a) Direction and Distance from P.S. 1 1/2 km, East from P.S.
 (b) Address Chandimuni Hospital Moha, P.S. 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 S.I. Sailesh Subba
 (b) Father's / Husband's Name S.I. of Police Matigara P.S. SFC
 (c) Date / Year of Birth _____ (d) Nationality _____
 (e) Passport No. _____ Date of Issue _____ Place of Issue _____
 (f) Occupation Govt. Servant
 (g) Address Matigara P.S./SFC

7. Details of known / suspected / unknown accused with full particulars
 (Attach separate sheet, if necessary) : ① Ratan Biswas (48) s/o Madhab
Biswas, of MES Colony, P.S. Bagdogra,
Dist. Darjeeling

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

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

10. Total value of properties stolen / involved _____

11. Inquest Report / U.D. Case No. If any _____

12. FIR Contents (Attach separate sheets, if required) : Original written complaint which is
treated as FIR is reproduced 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 20/01/24
 investigation / directed SI Shib Bhanu Das Officer-in-Charge
 investigation / refused investigation / transferred to P.S. _____ Matigara Police Station
 jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant /
 informant free of cost. Siliguri Police Commissionerate

14. Signature / Thumb impression of the Complainant / Informant SI Sailesh Subba
 Signature of the Officer-in-Charge, Police Station _____
SAMIR DEBSHA
 Rank : No. Inspector in-Charge
Matigara P.S.

15. Date & Time of despatch to the court : _____



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) Ratan Biswas (48) s/o Madhab Biswas of MES Colony, PO + PS - Bagdogra, Dist. Darjeeling (not verified) along with the following seized articles, as per seizure list viz:

- 1] One (01) Transparent Zip Lock Plastic Pouch containing Two Hundred and Fifty Six Grams (256 grams) said to be Brown Sugar marked as "Exhibit - A".
- 2] One (01) set of OPPO Reno 2F Mobile Phone having IMEI 1: 860527045536712 and IMEI 2: 860527045536704 and marked as "Exhibit-B".
- 3] One (01) Black Color Royal Enfield Bike having Registration No. WB 74-BF 0427 and Chasis No-#ME3U3S5F2MB106346# and marked as "Exhibit-C".

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 30.01.2024 at 14.15 hours, a source information was received that one person is coming towards Biswas Colony via Old Matigara Road from Siliguri Junction Side in a Bike bearing Registration No. WB 74ABF-0427 who is suspected to be possessing huge quantity of Brown Sugar for selling the same to his designated customers at Biswas Colony under Matigara area.

The matter was diarized vide Matigara PS GDE No. 1597, dated 30.01.2024 and informed the matter to Officer-in-charge of Matigara PS/SPC in writing. At around 14.25 hours as per kind instruction of Officer In-charge I, along with SI Biswajit Sarkar, ASI Dharendra Nath Mondal, ASI Pema Dorjee Sherpa, C/219 Sanatan Chitrakar, C/523 Sanjit Kundu all of Matigara PS, Siliguri Police Commissionerate left to work out the source information towards Old Matigara Road under Matigara PS by Government vehicle vide GDE NO 1598 dated 30.01.2024 and MCC No 254, Dated 30.01.2024 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, Dist Darjeeling 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 14:35 hours, I accompanied with Police team reached at Chandmuni, Hospital More under Matigara PS, and parked the Vehicle at a considerable distance and called two independent witnesses namely (1) Munna Gwala s/o Late Bisram Gwala of Hospital Line, Chandmuni, PO+PS Matigara, Dist. Darjeeling and (2) Ashok Mondal s/o Dukhan Mondal of Chandmuni, Hospital Line, PO +PS Matigara, Dist. Darjeeling and disclosed my identity as a Police person 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 independent witnesses during the process of search and seizure if required. Accordingly both the witnesses agreed and acknowledge the same by receiving the Notice and duly signed.

I, along with accompanied Officers and forces with the independent witnesses started waiting for the said person to arrive at Chandmuni near Hospital More. At around 15:05 hours being identified by my source and being pointed we saw one person in a Bike approaching towards us via Old Matigara Road.

SI Sailesh Subba
dt - 30/01/24

I, then stopped the said bike and apprehend said person and disclosed my identity as Police Officer of Matigara Police Station and disclosed the identities of the police team accompanying me.

On being asked he disclosed his identity as Ratan Biswas (48) s/o Madhab Biswas of M.E.S Colony, PO + PS - Bagdogra, Dist. Darjeeling. I, then shared the information in hand to him that we have specific information that he had in his possession a huge quantity of Brown Sugar and that we intended to search him in presence of any Gazetted Officer. Initially he denied having any such type of narcotic substances with him. I told him that he would search him in person in presence of independent witnesses. Eventually he admitted that he is in possession of Brown Sugar was procured from elsewhere in Malda for selling the same illegally to his customers at Matigara area for his wrongful gain.

His statement constrained me to believe that he is in possession of said to be Brown Sugar illegally for transporting and selling to his designed customers 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 15:15 hours I sent ASI Dhirendra Nath Mondal with a requisition before Special Executive Magistrate, Shri Suraj Thakuri (ACP, EB) Siliguri Police Commissionerate requesting him to come to the spot for supervising the process of search and seizure.

At around 16:25 hours ASI Dhirendra Nath Mondal returned at the spot along with Special Executive Magistrate, Shri Suraj Thakuri (ACP, EB) Siliguri Police Commissionerate. Accordingly Shri Suraj Thakuri disclosed his identity as Special Executive Magistrate, to the detained person as well as the independent witnesses and briefed them 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 (i) One (01) Transparent Zip Lock Plastic Pouch containing Two Hundred and Fifty Six Grams (256 grams) said to be Brown Sugar from the left pocket of his Jacket and (i) One (01) set of OPPO Reno 2F Mobile Phone having IMEI 1: 860527045536712 and IMEI 2: 860527045536704 from his right pocket of his Jeans Pant. Also One (01) Black Color Royal Enfield Bike having Registration No. WB 74-BF 0427 and Chassis No- #ME3U3S5F2MB106346# was also detained from his possession.

[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 carrying said to be Brown Sugar but he was unable to produce any document/license in support of said to be Brown Sugar in his possession. The detained person also confessed that he was carrying said to be Brown Sugar to deliver the same at Matigara, Biswas Colony to his designed customers 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 then labeled and sealed the "Exhibit-A" and "Exhibit-B", "Exhibit-C" in presence of the Special Executive Magistrate, independent witnesses and accused persons. The search, seizure and label was made in between 16:35 hours to 17:50 hours. The whole process of search, seizure and label was video graphed by the videographer.

SI Santosh Subda
Dt- 30/01/24

I, then arrested the above noted detained accused persons after observing all guidelines of Apex Court under proper Memo of Arrest for violating the terms and condition of the NDPS Act. His 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 persons namely (1) Ratan Biswas (48) s/o Madhab Biswas of MES Colony, PO + PS - Bagdogra, Dist. Darjeeling (not verified) and others and arrange for its investigation.

Yours faithfully,

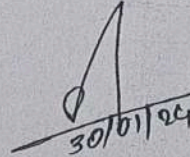
S1 Sailesh Subba

(SI Sailesh Subba)
Matigara PS / SPC
Date: 30.01.2024

Enclosure:

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

Received on 30-01-24 at 18:45 hrs
wide Matigara PS G.D.F No. 1605 and started
Matigara PS Case No. 66/24 Dt. 30-01-24
u/s 21(c) of NDPS Act, also endorsed to
SI Shik Samrat Das for investigation.


30/01/24

Officer-in-Charge
Matigara Police Station
Siliguri Police Commissionerate