

Dist. Dajiling P.S. Matigara Year 2024 FIR No. 295/24 Date 05.5.2024

i) Act Sections ii) Act Sections
iii) Act NDPS Sections 20(b)(ii)(c) iv) Others Acts & Sections

(a) Occurrence of offence : Day Date From 05.5.24 Date To

Time Period Time From 16:30 hrs Time To 22:20 hrs

(b) Information received at P.S. Date On 05.5.2024 Time 23:05 hrs

(c) General Diary Reference : Entry No (s) 268 Time 23:05 hrs

Type of Information Written Written / Oral

Place of Occurrence : (a) Direction and Distance from P.S. 12 km North West from P.S.
(b) Address Near Phansidewa Under Pass P.S. Matigara,
Dist. Dajiling

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

6. Complainant / Informant :
(a) Name PSI Anujit Banik

(b) Father's / Husband's Name

(c) Date / Year of Birth (d) Nationality

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

(f) Occupation Govt. Servant

(g) Address SI of Police, Matigara PS, Siliguri Police Commissionerate

7. Details of known / suspected / unknown accused with full particulars
(Attach separate sheet, if necessary) : ① Sujon Debnath (27) s/o Ramkrishna
Debnath of Baha Atiabari, PO - G. Atiabari, PS. Dinhata,
Dist. Coochbihar.

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

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

① 28 packets of suspected ganja total weighing 147.9 k.g.

② One Pick up Van bearing No. WB69A6608 ③ Cash Rs. 2,500/-

10. Total value of properties stolen / involved ④ Other documents as per seizure list.

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

12. FIR Contents (Attach separate sheets, if required) : Original written complaint which is
traced 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
investigation / directed PSI Anujit Das of NBME OP 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

15. Date & Time of despatch to the court :

Signature of the Officer-in-Charge, Police Station
Name : ARINDAM CHATTACHARJEE
Rank : No. Inspector Incharge
Matigara PS/SPC

To
The Inspector-In-Charge,
Matigara Police Station,
Siliguri Police Commissionerate

Sub: - F.I.R

Sir,

In producing herewith the 01 (One) arrested accused person Sujan Debnath (27), S/o- Ramkrishna Debnath of Bara Atiabari, PO- G. Atiabari, PS- Dinhata, Dist- Coochbehar along with the following seized article under proper seizure list :-

- (i) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-A.
- (ii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 6.3 Kg marked as Exhibit-B.
- (iii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-C.
- (iv) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-D.
- (v) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 6.1 Kg marked as Exhibit-E.
- (vi) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-F.
- (vii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-G.
- (viii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 6.2 Kg marked as Exhibit-H.
- (ix) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-I.
- (x) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.2 Kg marked as Exhibit-J.
- (xi) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 6.2 Kg marked as Exhibit-K.
- (xii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-L.
- (xiii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.2 Kg marked as Exhibit-M.
- (xiv) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 6.1 Kg marked as Exhibit-N.
- (xv) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.2 Kg marked as Exhibit-O.
- (xvi) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-P.
- (xvii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 4.2 Kg marked as Exhibit-Q.
- (xviii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.1 Kg marked as Exhibit-R.
- (xix) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 7.2 Kg marked as Exhibit-S.
- (xx) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2.1 Kg marked as Exhibit-T.

Received on 05.5.24 at 23:05 hrs vide G.D.E No-268
and started Matiyaha PS Case No-297/24 Dated 05-5-24
u/s- 20(b)(ii)(c) of NDPS Act. PSI Anijit Das will investigate
the case.

PSI Anijit Banik.
05/05/24

[Signature]
Inspector-In-Charge
Matigara Police Station
Siliguri Police Commissionerate

- (xxi) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2 Kg marked as Exhibit-U.
- (xxii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2 Kg marked as Exhibit-V.
- (xxiii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2 Kg marked as Exhibit-W.
- (xxiv) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2 Kg marked as Exhibit-X.
- (xxv) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 3.1 Kg marked as Exhibit-Y.
- (xxvi) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 2 Kg marked as Exhibit-Z.
- (xxvii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 9.1 Kg marked as Exhibit-AA.
- (xxviii) One packet wrapped with brown colour plastic cello tape containing suspected to be Ganja weighing 3 Kg marked as Exhibit-AB.
- (xxix) One white & Blue colour Pick up van bearing Registration No. WB 69 A 6608 marked as Exhibit-AC.
- (xxx) One sky colour mobile phone VIVO S1 having IMEI 1 No. 863296042101873 and IMEI 2 No. 863296042101865 and bearing SIM Card No. 9641903507 (Vodafone) and 8653336796 (Airtel).
- (xxxii) One D/L bearing No. WB 63 20160980689 in the name of Sujan Debnath valid up to 29.08.2036 (N/T) and 10.10.2027 (T).
- (xxxiii) One driving authorization given by Dipankar Debnath, S/o- Dilip Debnath of Uttar Parokata, Madhya Parokata, Dist- Alipurduar in the name of Sujan Debnath in r/o vehicle Registration No. WB 69 A 6608 valid from 03.05.24 to 02.05.25.
- (xxxiiii) Cash amounting Rs. 2,500/- (INR).

I, PSI Avijit Banik, S/O- Animesh Banik of Matigara Police Station, Siliguri Police Commissionerate do here by lodge this written complaint to the effect that on 05.05.2024 at about 13:20 hrs, I received a specific information provided by a credible source that 01 (one) male person is coming in a four wheeler white colour Pick Up Van Bearing Reg. No. WB-69-A-6608 from Coochbehar carrying huge quantity of illegal Ganja (Cannabis) and proceeding to Bihar for its further disposal. He further stated that he had started his journey from Coochbehar and would pass through Shivmandir via Phansidewa Under Pass under Matigara PS jurisdiction.

Hence, there was a strong reason to believe that there is every chance of committing a cognizable offence under NDPS Act and to check the veracity of information, I reduced the information in writing vide Matigara PS GDE No. 237, dated 05.05.2024 and I intimated the information to Shri Arindam Bhattacharya, I/C Matigara PS, SPC who brought the information to the superior and after obtaining necessary order at about 13:35 hrs myself, along with a team of Matigara PS, SPC consisting of SI Shib Sankar Das, ASI Dharendra Nath Mandal, ASI Pema Dorjee Sherpa all of Matigara PS, SPC took departure vide C.C. No- 614/24 dated 05.05.2024 from Matigara PS, SPC for Phansidewa Under Pass with investigation kit by a Govt. vehicle to work out the information and the same was diarized vide Matigara PS GDE No. 238, dated 05.05.2024.

At the same time I sent C/523 Sanjit Kundu of Matigara PS, SPC with a requisition to the office of the ACP (HQ), SPC to supervise the search & seizure and act as a Special Executive Magistrate if required. I also informed the Videographer namely Somnath Chatarjee, S/o- Sushil Chatarjee of Aurobindo Nagar, W/No. 22, PS- Siliguri, Dist- Darjeeling to be present at near Phansidewa Under Pass, under Matigara PS, SPC to prepare the Video of whole process of search and seizure if any.

PSI Avijit Banik
05/05/24

On 05.05.2024 at about 13:45 hrs, we reached Phansidewa Under Pass and I met with my source and he briefed me about the detail information and stated that the suspected person would arrive anytime through this road. Before that I looked up for public witnesses to the entire process of search and seizure and found two who were unwilling but later they gave their willingness to act as an independent witnesses. The particulars of the witnesses are as follows 1] Shyamal Barman (41 yrs), S/O- Lt. Atiya Barman of Narayan Pally, Shivmandir, Near Bethel Primary School, PS- Matigara, Dist- Darjeeling and 2] Prabin Roy (27 yrs), S/O- Hiramibu Roy of Mauria Busty, Sishabari, PS- Matigara, Dist- Darjeeling and I briefed them the information we had and requested them to stand as witness, who agreed to be stand as witness during the process of search and seizure and other process thereafter. Accordingly we ambush ourselves at near Phansidewa Under Pass and waiting for the Pick Up Van.

At about 15:05 Hrs Shri Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate arrived at Near Phansidewa Under Pass where I briefed him the information in a nutshell. Also introduced the witness namely 1] Shyamal Barman (41 yrs), S/O- Lt. Atiya Barman of Narayan Pally, Shivmandir, Near Bethel Primary School, PS- Matigara, Dist- Darjeeling and 2] Prabin Roy (27 yrs), S/O- Hiramibu Roy of Mauria Busty, Sishabari, PS- Matigara, Dist- Darjeeling. At about 16:05 hrs, my source identified the targeted pickup van bearing Registration No. WB-79 A 6608 approaching towards us. Accordingly we stood on the road. After a hot chase we managed to apprehend one person.

We then cordoned him and I introduced myself and the raid team members as Police officers. I appraised him about the information in hand and started to examine him thoroughly. On interrogation he disclosed his name and address as mentioned above. On interrogation the detained person confessed that the Pickup van was loaded with huge quantity of Ganja (Cannabis) kept concealed in a hidden chamber at backside of the pickup van which was loaded from Coochbehar and were going to Bihar for its clandestine disposal.

As per provisions of section 50 of the NDPS Act, 1985 (as amended) I explained the above noted detained person that he has legal right to tender his personal search in front of an Executive Magistrate or a gazette officer and the same was given to him in writing. In reply he wanted to be searched before any police officer.

On further interrogation, the detained person confessed in front of the Gazette officer Sri. Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate that he was in conscious possession of huge quantity of Ganja (Cannabis) which was kept concealed in the hidden chamber at backside of the Pick-up van bearing No. WB 69 A 6608.

Thereafter, Shri Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate intimated the above noted detained person and also gave in writing Notice U/S 100 Cr.P.C that, if he wish, he may search every member of the searching team and the vehicles with us before the search on his person and the Pick-up van. He refused to searched the raid team including Shri Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate and the Police team including our vehicle.

PSI Anigit Barik
05/05/24

Thereafter, in front of the Gazette officer, Sri. Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate and the independent witness namely 1] Shyamal Barman (41 yrs), S/O- Lt. Atiya Barman of Narayan Pally, Shivmandir, Near Bethel Primary School, PS- Matigara, Dist- Darjeeling and 2] Prabin Roy (27 yrs), S/O- Hirambu Roy of Mauria Busty, Sishabari, PS- Matigara, Dist- Darjeeling the detained person namely Sujan Debnath (27), S/o- Ramkrishna Debnath of Bara Atiabari, PO- G. Atiabari, PS- Dinjata, Dist- Coochbehar open the hidden chamber at the backside of the pick-up van and produced total 28 nos. of packets, wrapped with brown colour cello tape one by one. I then weight all the packets individually and found 7.1 Kg, 6.3 Kg, 7.1 Kg, 7.1 Kg, 6.1 Kg, 7.1 Kg, 7.1 Kg, 6.2 Kg, 7.1 Kg, 7.2 Kg, 6.2 Kg, 7.1 Kg, 7.2 Kg, 6.1 Kg, 7.2 Kg, 7.1 Kg, 4.2 Kg, 7.1 Kg, 7.2 Kg, 2.1 Kg, 2 Kg, 2 Kg, 02 Kg, 2 Kg, 3.1 Kg, 2 Kg, 1.9 Kg and 3 Kg respectively. On total I found weighing 147.9 Kg of Ganja (cannabis) from the Pick Up van. On being search from the detained person found One sky colour mobile phone VIVO S1 having IMEI 1 No. 863296042101873 and IMEI 2 No. 863296042101865 and bearing SIM Card No. 9641903507 (Vodafone) and 8653336796 (Airtel), One D/L bearing No. WB 63 20160980689 in the name of Sujan Debnath valid up to 29.08.2036 (N/T) and 10.10.2027 (T), One driving authorization given by Dipankar Debnath, S/o- Dilip Debnath of Uttar Parokata, Madhya Parokata, Dist- Alipurduar in the name of Sujan Debnath in r/o vehicle Registration No. WB 69 A 6608 valid from 03.05.24 to 02.05.25, Cash amounting Rs. 2,500/- (INR).

On interrogation, the detainee stated that he had brought the contraband Narcotic substance like Ganja (Cannabis) from Coochbehar and is going to Bihar for its clandestine disposal. Then, I asked him to produce the valid license/ documents for carrying and possessing of the huge quantity of illegal narcotics contraband articles but he failed to produce any legal papers.

Thus, a reasonable belief having been formed that an offence has been committed in contravention of the NDPS Act and that recovered articles were liable to be confiscated NDPS Act. Accordingly, I had seized all the recovered packets filled with Ganja (Cannabis), all the articles found from him and the Pick Up Van bearing Reg No- WB 69 A 6608 under proper seizure list duly prepared by me in presence of witnesses and Shri Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), Siliguri Police Commissionerate, Special Executive Magistrate. I also took signature of the witnesses, accused person, and Sri. Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ) and put my signature as seizing officer. Copy of seizure list was given to the detained person.

Thereafter, all the seized articles have been properly marked and labeled. In course of labeling my raid team assist me to prepare the label. Took signature of witnesses and accused person in the labels in presence of the witnesses and Gazette officer.

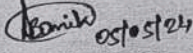
I then arrested the above noted accused person after informing him the ground of arrest for the possession and carrying of contraband Narcotic drugs under the NDPS Act and issued arrest memo to him accordingly, duly signed by the accused person and witness.

PSI Anjita Banik.
05/05/24

The entire process of Search, seizure, Label, Seal and arrest were done in between 16:30 hrs and 22:20 hrs. The entire process of detention, search, seizure sealed and labeled under the supervision of Shri Md. Abdul Hai Sardar, Asst. Commissioner of Police (HQ), SPC and video graphed of search and seizure conducted through the camera of Somnath Chatarjee, S/O Sushil Chatarjee of Aurobindo Nagar, W/No. 22, PS- Siliguri, Dist- Darjeeling in compliance to the Order of Hon'ble High Court, Kolkata.

Under the above noted fact and circumstances you are requested to kindly lodge a FIR under proper section of law and arrange its investigation against accused persons namely (i) Sujan Debnath (27), S/O Ramkrishna Debnath of Bara Atiabari, PO- G. Atiabari, PS- Dinjata, Dist- Coochbehar (ii) owner of the Pick Up Van having Registration No- WB-69 A 6608 and others involved in this racket.

Yours faithfully



PSI Avijit Banik
Matigara Police Station
Siliguri Police Commissionerate
Dt- 05.05.2024

Enclosure

- 1] Seizure List.
- 2] Copy of information to I/C Matigara PS SPC.
- 3] Copy of information to Special Executive Magistrate.
- 4] Arrest memo.
- 5] Notices U/S - 50 of NDPS Act and U/S- 100 Cr.P.C.
- 6] Accused Medical checkup slip.
- 7] Labels (29 Nos)
- 8] Inspection Memo.

Typed and printed by me at Matigara PS compound.