



(Under Section 154 Cr.P.C.)  
173 BNSS

Darjeeling P.S. Bagdogra Year 2024 FIR No. 298/24 Date 31.08.24  
NDPS Sections 21(c)/23(c)/29 Act Sections iv) Others Acts & Sections

2144

3. (a) Occurrence of offence : Day 31-08-24 Date From 31-08-24 Date To 31-08-24  
Time Period Time From 11:40 hrs Time To 13:35 hrs  
(b) Information received at P.S. Date 31-08-24 Time 15:15 hrs  
(c) General Diary Reference : Entry No (s) 1450 Time 15:15 hrs

4. Type of Information Written / Oral

5. Place of Occurrence : (a) Direction and Distance from P.S. 3km West Beat No.

(b) Address Singhijhora more On AH-02 P.S - Bagdogra 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 Samik Paul

(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 SI of WB Police

(g) Address Bagdogra Police Station, Dist - Darjeeling.

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

(Attach separate sheet, if necessary) : ① Bimal Ghosh (39/M), s/o- Nitai Ghosh of Deshbandhu Para, P.S- Nazalbari, Dist- Darjeeling ② Ramjan shek (19/M), s/o- Nurul of Nandalalpure, P.S- Baisnabnagar, Dist- Malda ③ Emran shek (19/M) s/o- sarafat shek @ Mantu of Chowri Anantapure, P.S- Kaliyachak Dist- Malda.

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

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

① 01 black colour plastic carry bag ② 01 green colour plastic carry bag in where respectively 4 Packets of article said to be Brown sugar total weighing 405 grms & 4 Packets said to be Brown sugar total 40g grms ③ one red colour T.V.S Apache Bike with but number plate.

10. Total value of properties stolen / involved

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

12. FIR Contents (Attach separate sheets, if required) : The original written complaint is treated as FIR and enclosed herewith.

13. Action Taken : Since the above report reveals commission of offence(s) as mentioned at item No. 2., Registered the case and investigation / directed SI Pradip Sarkar of BDR P.S. investigation / refused investigation / transferred to P.S. jurisdiction. FIR read over to the Complaint / Informant, admitted to be correctly recorded and a copy given to the Complainant / informant free of cost.

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14. Signature / Thumb impression of the Complainant / Informant

15. Date & Time of despatch to the court :

31/08/2024  
Officer-in-charge  
Bagdogra P.S. SIB  
on station of Metropolitan Police  
31/08/2024  
SI Pradip Sarkar  
Bagdogra P.S. SIB  
Rank No. O/C BDR P.S. Police



The Officer-in-Charge,  
Bagdogra Police Station,  
Siliguri Police Commissionerate

Sub: - F.I.R

Sir,

In producing herewith three (03) accused persons namely (i) Bimal Ghosh, aged 39 years, s/o- Nitai Ghosh, resident of Deshbandhupara, PS- Naxalbari, Dist- Darjeeling, (ii) Ramjan Shek, aged 19 years, s/o- Nurul, resident of Nandalalpure, PS- Baisnabnagar, Dist- Malda and (iii) Emran Shek, aged 19 years, s/o- Sarafat Shek @ Mantu, resident of Chowri Anantapure, PS- Kaliyachak, Dist- Malda (not verified) under custody along with the following seized articles under proper seizure list:-

- i) One black colour plastic carry bag containing four (04) packets of said to be Brown sugar total weighing 405 grams, duly packed & sealed inside a yellow colour envelope marked as Exhibit-A.
- ii) One green colour plastic carry bag containing four (04) packets of said to be Brown sugar total weighing 404 grams, duly packed & sealed inside a yellow colour envelope marked as Exhibit-B.
- iii) One red & yellow colour bag written as "Arif Dresses, Golapganj Kaliyachak Malda".
- iv) One red colour TVS Apache motorcycle without number plate having Chassis no. MD634CE65H2E17027 & Engine No. CE6EH2017078.
- v) One black colour Realme mobile phone.
- vi) One silver colour vivo mobile phone.
- vii) One black colour vivo mobile phone.

NOTE: Exhibit-A & Exhibit-B were kept concealed inside the red & yellow colour bag in hanging condition at the back side of the said motorcycle and the same is seized from their joint possession.

I, SI Samik Paul of Bagdogra PS, S.P.C do hereby lodge this written complaint against the above noted three (03) arrested accused persons to the effect that today 31.08.2024 at 11:40 hrs I received a specific source input that some suspects were passing through AH-02 towards Naxalbari from Siliguri side via Bagdogra with huge quantity of Brown Sugar for delivering the same to their designed customers. The matter was diarized vide Bagdogra PS GDE No. 1440 dated 31.08.2024 and I informed the matter to SI Partha Sarathi Das, Officer-in-Charge of Bagdogra Police Station, S.P.C. As per his kind direction a raiding team is formed consisting SI Debabrata Kundu, ASI Amit Lama, ASI Munna Ahmed, C/1509 Sourav Roy Sarkar, VP/01 Ansalam Kujur, VP/02 Pradip Roy, CV/375 jogesh Barman, CV/386 Kishor Ranjan Howladar & CV/389 Janak Singh, all of Bagdogra PS, S.P.C being headed by me and left for Shinghijhora more under Bagdogra PS by Govt. vehicle No. WB77/4703 with investigation kit to verify the veracity of the information in hand vides Bagdogra PS GDE No. 1441 dated 31.08.2024 and M.C.C. No. 18/24 dated 31.08.2024. In the mean time I also informed the RT Van (K-35 mobile van) Officer ASI Ashish Karmakar of Bagdogra PS, S.P.C to come at Shinghijhora more to accompany us. Further, I contacted with the videographer namely Pankaj Barman, aged 21 years, s/o- Jogesh Barman, resident of Mulajjote, Gossainpur, PS- Bagdogra, Dist- Darjeeling (Ph. No. 8389931328) to be present at Shinghijhora more to prepare the audio-video record of the whole process of search and seizure, if any and he also accompanied us. Under these circumstances any search warrant or authorization cannot be obtained without affording opportunity for the concealment of evidences of facility for the escape of the offenders. At around 12:05 hrs we reached at Shinghijhora more and waited there. In the meantime, I contacted with two local witnesses and issued them notice in writing to remain present at Shinghijhora more as independent witness for the purpose of search, seizure, arrest, if any and they expressed their willingness to remain present there as independent witness. After a while, the source informed and indicated that the suspects were approaching towards us from Siliguri side with a red colour TVS Apache motorcycle without any number plate. Immediately we moved and at around 12:20 hrs we detained a red colour TVS Apache motorcycle without number plate.

  
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Three persons were there on the said motorcycle. Source identified those three suspects. Then after disclosing our identity, we detained the above noted three persons with a strong reason to believe that they were illegally carrying and dealing with Brown Sugar in their joint possession for selling the same to their designed customers for their wrongful gain. On being asked they revealed their identity as (i) Bimal Ghosh, aged 39 years, s/o- Nitai Ghosh, resident of Deshbandhupara, PS- Naxalbari, Dist- Darjeeling, (ii) Ramjan Shek, aged 19 years, s/o- Nurul, resident of Nandalalpure, PS- Baisnabnagar, Dist- Malda and (iii) Emran Shek, aged 19 years, s/o- Sarafat Shek @ Mantu, resident of Chowri Anantapure, PS- Kaliyachak, Dist- Malda (not verified). On prolong interrogation, they confessed their guilt and admitted that they possessed Brown Sugar in their joint possession. I then gave them option in writing whether they wanted to be searched in presence of Executive Magistrate or Special Executive Magistrate or by any Police Gazetted Officer. Then they agreed to be searched by any one of them. Further, I served them Notice in accordance with provisions of law in this regards. I also offered the independent witnesses and the apprehended persons to search our Police Party as per provision of law but they denied searching police party. Accordingly, I informed the matter to the Officer-in-Charge of Bagdogra PS, who contacted with Executive Magistrate but no Executive Magistrate could be found available for the process of search & seizure. Then as per his kind direction, I informed the fact to Shri Debasish Bose, Assistant Commissioner of Police, West-II, Siliguri Police Commissionerate regarding the interception of the three persons suspected to be possessed with Brown Sugar and requested him to come at Shinghijhora more on AH-02 under Bagdogra PS and to supervise the process of search and seizure being a Gazetted Officer. Accordingly at around 12:50 hrs Shri Debasish Bose, Assistant Commissioner of Police, West-II, S.P.C arrived at the spot and accordingly, I disclosed his identity to the detained persons as a Gazetted Officer. Then in presence of the Gazetted Officer Shri Debasish Bose and two independent public witnesses I searched the detained persons including their motorcycle following all legal formalities and recovered one black colour plastic carry bag containing four (04) packets of said to be Brown sugar and one green colour plastic carry bag containing four (04) packets of said to be Brown sugar which were kept concealed inside one red & yellow colour bag written as "Arif Dresses, Golapganj Kaliyachak Malda". On demand in presence of the Gazetted Officer and the independent witnesses they failed to produce any valid document in support of possessing of the brown sugar which they were carrying at the back side of the said motorcycle. Thereafter, I arranged to weigh the recovered packets containing said to be Brown Sugar in presence of the Gazetted Officer and the independent witnesses with the weighing instrument and found measuring total 809 grams including plastic pouch (eight hundred and nine grams) suspected to be Brown sugar Marked as Exhibit-A (weighing 405 grams) & Exhibit-B (weighing 404 grams). Thus when their involvement in carrying and possessing and dealing with brown sugar was established, then I seized the above noted articles from the exclusive joint possession of the above noted accused persons at the spot under proper seizure list in presence of the Gazetted Officer as well as the independent witnesses as noted above and acknowledged by the accused persons and marked the seized articles as Exhibit-A & Exhibit-B. Subsequently, I labeled the seized articles in presence of the Gazetted Officer and the independent witnesses and the accused persons as noted above. On further interrogation, they confessed that they procured the brown sugar clandestinely from Kaliyachak in Malda district for the purpose of supply the same to their designed customers at Naxalbari as per their requirement for their personal gain by illegal means. On interrogation they also disclosed that they have been dealing in such business of selling the brown sugar illegally for a long time.

From the above noted facts and seizure of incriminating articles it is quite evident that the accused persons namely (i) Bimal Ghosh, aged 39 years, s/o- Nitai Ghosh, resident of Deshbandhupara, PS- Naxalbari, Dist- Darjeeling, (ii) Ramjan Shek, aged 19 years, s/o- Nurul, resident of Nandalalpure, PS- Baisnabnagar, Dist- Malda and (iii) Emran Shek, aged 19 years, s/o- Sarafat Shek @ Mantu, resident of Chowri Anantapure, PS- Kaliyachak, Dist- Malda (not verified) are involved in procuring, carrying, selling and dealing of Brown Sager illegally and contravening

  
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P. No. 03

the norms of NDPS Act. Then, I arrested the above noted three accused persons after observing all guidelines of Apex court of arrest as well as after disclosing the ground of arrest and issued necessary Memo of Arrest. The whole process of Search, Seizure, Label & Arrest was made in between 12:50 hrs to 13:35 hrs on 31.08.2024. The entire process of search, seizure, label & arrest is done through audio-video electronic means using digital camera and then the same audio-video record of the flash drive (SanDisk ultra 16 GB memory card) is converted to a pen drive using computer system.

Under the above noted facts and circumstances, I pray to you that a specific case under proper sections of law may kindly be started against the above noted arrested accused persons namely (i) Bimal Ghosh, aged 39 years, s/o- Nitai Ghosh, resident of Deshbandhupara, PS- Naxalbari, Dist- Darjeeling, (ii) Ramjan Shek, aged 19 years, s/o- Nurul, resident of Nandalalpure, PS- Baisnabnagar, Dist- Malda and (iii) Emran Shek, aged 19 years, s/o- Sarafat Shek @ Mantu, resident of Chowri Anantapure, PS- Kaliyachak, Dist- Malda (not verified) and arrange for its investigation.

This complaint is drafted and printed at Bagdogra PS's Computer.

Enclosure:

- i) Original Memo of Arrest
- ii) Original seizure list
- iii) All the Seized articles as per seizure list.
- iv) Received Copies of Notice to accused persons (three)
- v) Received Copies of Notice to two Independent Witnesses.
- vi) Requisition to Gazetted Officer.
- viii) Carbon Copies of Label (two)
- ix) MCC No. 18/24 dated 31.08.2024.
- x) Check List
- xi) Pen Dive (SanDisk 16 GB contains audio-video record)
- xii) Certificate u/s 63(4)(C) BSA

Yours faithfully,

  
(SI Samik Paul)  
Bagdogra PS, S.P.C.  
31.08.2024

Received on 31.08.24 at 15:15 hrs vide GDE NO 1450 Dt 31-08-24, started BDR P.S case NO 298/24 Dt 31.08.24 U/s 21(c)/23(c)/29 NDPS Act, endorsed to SI Pradip Sarkar for its investigation.

31/08/2024  
Officer In-Charge  
Bagdogra Police Station  
Siliguri Police Commissionerate